



SPECIAL MEETING AGENDA

Date: 4/6/2021
Time: 6:00 p.m.
Location: Zoom.us/join – ID# 919 4702 7409 (Closed session)
Zoom.us/join – ID# 969 9163 8061 (Regular session)

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

On March 19, 2020, the Governor ordered a statewide stay-at-home order calling on all individuals living in the State of California to stay at home or at their place of residence to slow the spread of the COVID-19 virus. Additionally, the Governor has temporarily suspended certain requirements of the Brown Act. For the duration of the shelter in place order, the following public meeting protocols will apply.

Teleconference meeting: All members of the City Council, city staff, applicants, and members of the public will be participating by teleconference. To promote social distancing while allowing essential governmental functions to continue, the Governor has temporarily waived portions of the open meetings act and rules pertaining to teleconference meetings. This meeting is conducted in compliance with the Governor Executive Order N-25-20 issued March 12, 2020, and supplemental Executive Order N-29-20 issued March 17, 2020.

- How to participate in the special meeting
 - Submit a written comment online up to 1-hour before the meeting start time:
menlopark.org/publiccommentApril6 *
 - Access the meeting real-time online at:
Zoom.us/join – Meeting ID 969 9163 8061
 - Access the meeting real-time via telephone at:
(669) 900-6833
Meeting ID 969 9163 8061
Press *9 to raise hand to speak

*Written public comments are accepted up to 1-hour before the meeting start time. Written messages are provided to the City Council at the appropriate time in their meeting.

- Watch meeting:
 - Cable television subscriber in Menlo Park, East Palo Alto, Atherton, and Palo Alto:
Channel 26
 - Online:
menlopark.org/streaming

Note: City Council closed sessions are not broadcast online or on television and public participation is limited to the beginning of closed session.

Subject to Change: Given the current public health emergency and the rapidly evolving federal, state, county and local orders, the format of this meeting may be altered or the meeting may be canceled. You may check on the status of the meeting by visiting the City's website www.menlopark.org. The instructions for logging on to the webinar and/or the access code is subject to change. If you have difficulty accessing the webinar, please check the latest online edition of the posted agenda for updated information (menlopark.org/agenda).

According to City Council policy, all meetings of the City Council are to end by midnight unless there is a super majority vote taken by 11:00 p.m. to extend the meeting and identify the items to be considered after 11:00 p.m.

Closed Session ([Zoom.us/join](https://zoom.us/join) – ID# 919 4702 7409)

- How to participate in the closed session
 - Submit a written comment online up to 1-hour before the meeting start time:
menlopark.org/publiccommentApril6 *
 - Access the meeting real-time online at:
[Zoom.us/join](https://zoom.us/join) – Meeting ID 919 4702 7409
 - Access the meeting real-time via telephone at:
(669) 900-6833
Meeting ID 969 9163 8061
Press *9 to raise hand to speak

*Written public comments are accepted up to 1-hour before the meeting start time. Written messages are provided to the City Council at the appropriate time in their meeting.

A. Call To Order

B. Roll Call

C. Closed Session

Public Comment on these items will be taken before adjourning to Closed Session.

- C1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Case number: 21-CIV-01717

D. Adjournment

Regular Session ([Zoom.us/join](https://zoom.us/join) – ID# 969 9163 8061)

E. Call To Order

F. Roll Call

G. Report from Closed Session

H. Regular Business

- H1. Review 2030 climate action plan progress for goals No. 1 through No. 6 and provide direction to staff for 2021 implementation ([Staff Report #21-064-CC](#)) ([Presentation](#)) – continued from March 23, 2021

[Web form public comment on item H1.](#)

- H2. Direction on cost recovery policy (City Council Procedure #CC-10-001), library overdue fines and recreation user fees ([Staff Report #21-050-CC](#)) ([Presentation](#)) – ~~continued from March 9, 2021~~
continued from March 23, 2021

- H3. Approve criteria to guide facility reopening, service restoration, and reactivation of programs and events ([Staff Report #21-069-CC](#))
- H4. Approve additional \$40,000 appropriations for the temporary outdoor dining grant program ([Staff Report #21-053-CC](#)) – ~~continued and updated from March 9, 2021~~ continued and updated from March 23, 2021
- H5. Approve framework for use of American Rescue Plan Act funds ([Staff Report #21-070-CC](#)) – continued and updated from March 23, 2021

[Web form public comment on item H5.](#)

I. Informational Items

- I1. City Council agenda topics: April 2021 ([Staff Report #21-057-CC](#)) – continued from March 23, 2021

J. City Manager's Report

K. City Councilmember Reports

L. Adjournment

At every regular meeting of the City Council, in addition to the public comment period where the public shall have the right to address the City Council on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Council on any item listed on the agenda at a time designated by the chair, either before or during the City Council's consideration of the item.

At every special meeting of the City Council, members of the public have the right to directly address the City Council on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item. For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or prior to, the public hearing.

Any writing that is distributed to a majority of the City Council by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available by request by emailing the city clerk at jaherren@menlopark.org. Persons with disabilities, who require auxiliary aids or services in attending or participating in City Council meetings, may call the City Clerk's Office at 650-330-6620.

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at menlopark.org/agenda and can receive email notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting City Clerk at 650-330-6620. (Posted: 4/1/2021)



STAFF REPORT – CONTINUED FROM 3/23/2021

City Council

Meeting Date: ~~3/23/2021~~ 4/6/2021

Staff Report Number: 21-064-CC

Regular Business: **Review 2030 climate action plan progress for goals No. 1 through No. 6 and provide direction to staff for 2021 implementation**

Recommendation

Review 2030 climate action plan (CAP) progress for goals No. 1 through No. 6 and provide direction to staff for 2021 implementation.

Policy Issues

In 2019, the City Council declared a climate emergency (Resolution No. 6535) committing to catalyze accelerated climate action implementation. In July 2020, the City adopted a new CAP with the bold goal to reach carbon neutrality (zero emissions) by 2030.

Background

The City Council adopted a 2030 CAP with the bold goal to reach carbon neutrality (zero emissions) by 2030 (Attachment A.) The purpose of this report is to provide an update on the 2030 CAP progress, next steps, and seek City Council direction on implementation for 2021.

Analysis

It is anticipated that this agenda item could take up to 1.5 hours based on previous CAP discussions. Due to the complexity, numerous goals in the CAP, and limited meeting time, staff suggests the following deliberation approach for this meeting:

1. Discuss and take action (vote) on each CAP goal separately to provide clarity to staff even if there is no change to the specific CAP goal's 2021 implementation. This will help clarify the direction of City Council to staff.
2. Specific direction and action on a CAP goal will result in an amendment to the 2030 CAP. Amendments will be brought back to the City Council as a consent item for final approval.
3. Table to another meeting any CAP actions that are difficult to come to a consensus on or require further discussion or analysis. This will help target CAP goals that need more robust deliberation and/or analysis than others. Please note that this will delay action on a specific CAP goal until staff receives direction and clarity on how to move forward.
4. Depending on the length of this agenda item, continue any remaining CAP implementation discussion to another meeting.

The 2030 CAP included six recommended actions. The City Council directed staff to work on three of the six CAP strategies this fiscal year, which include Nos. 1, 3 and 5 (Attachment B.) Over the last several months, the City Council, the Environmental Quality Commission (EQC), and staff have provided recommendations to refine the scope of the six actions in the 2030 CAP based on emerging progress,

information and data. The tables below provide a summary of progress, next steps, and possible City Council direction for 2021 implementation.

Table 1: CAP goal No. 1: Explore policy/program options to convert 95% of existing buildings to all-electric by 2030		
Project status	March 23 recommended next steps	Alternatives
2020 July-Approved by City Council to work on this fiscal year		
2021 February– City Council received a progress report on CAP Goal No. 1 (Attachment C)	<ol style="list-style-type: none"> 1. May 2021: Complete cost effectiveness analysis and staff recommendation on various policy pathways toward achieving 95% electrification by 2030. 2. June 2021: EQC provides advice to City Council on staff recommendation. 3. July/August 2021: City Council reviews policy options and EQC recommendations and directs staff to draft ordinance(s) to engage public on proposed policies for adoption. 4. Fall 2021: Public engagement to educate on how to achieve the policy requirements and identify any further appropriate exemptions that may be needed to implement proposed ordinance(s.) 5. 2022: City Council adopts ordinances based on public engagement and final EQC recommendations 	<ol style="list-style-type: none"> 1. Consider omitting tasks to expedite timeline, such as public engagement, staff analysis of property owner utility bill and capital cost analysis, and city resource impacts. Risk include no public buy-in, may lack equity provisions, litigation risk or inability to implement or enforce policy. See Attachment D for options to expedite timeline. 2. Defer to the EQC for advice before making a final decision on project next steps. 3. Provide further guidance/direction on implementation. Any further actions/tasks may require additional resources that would need to be analyzed and brought back to City Council for final approval. 4. Suspend work and focus on other CAP goals
March 23 – City Council consider approval of project next steps		

Additional factors and considerations for CAP goal No. 1

Staff is unable to provide a policy recommendation to the City Council until the summer due to constraints in receiving analysis for direct upfront cost and utility bill impacts for Menlo Park community members. In order to complete a comprehensive and defensible analysis for informed decision(s) and robust discussion with the public and industry stakeholders, the Menlo Park cost effectiveness analysis for existing buildings will need to use various relevant data sources.

One source includes analysis from the inventor owned utilities (IOUs.) IOUs traditionally prepare cost and utility bill impacts of potential Reach Code measures that local government uses in adopting local amendments to the California Energy Code. Although an energy code amendment may not be required for this project, considering the analysis in the IOUs report(s) is important as community members and other groups will be able to use this information to potentially challenge the City in adopting electrification requirements for existing buildings. Thus, to protect the city from challenges or litigation, staff recommends using this information to inform a recommendation to City Council.

The IOUs cost effectiveness analysis is not completed for all building types. Currently, the IOUs have published analysis for residential electrification retrofits. Analysis is still in the works by the IOUs for accessory dwelling units (ADUs), large offices, restaurants, commercial kitchens and hotels. In addition,

Menlo Park specific modifications are being requested in the IOUs analysis, such as using average sized homes for Menlo Park. This requires additional time for the IOUs to complete on behalf of the City. The energy consultants (TRC companies) working on behalf of the City through Peninsula Clean Energy will continue to evaluate the analysis from the IOUs as they are released. This work also includes tailoring the IOUs analysis to represent Menlo Park's building and energy conditions, and GHG emission impacts. This work is not anticipated to be complete until April/May.

Due to challenges that can be raised in being the first to implement an electrification requirement for existing buildings, a thorough analysis will be key before making a final decision. In addition, transparency will be a key aspect of this project particularly around industry stakeholders that may ultimately challenge an electrification policy of existing buildings. A way forward on this front is for staff to prepare an objective analysis and finalize a policy recommendation for the EQC and the City Council to consider. The City Council can direct relevant changes to the analysis and/or policy as a result of a public process that addresses both proponents and challengers equally. While a public process can be viewed as a slow or inefficient, it can pay off with more buy-in, a practical and implementable policy, and a reduction in legal challenges as all decisions were made and documented in a public meeting.

Lastly, staff was able to connect with consultants working on similar electrification requirements for existing buildings in another Bay Area agency. Discussions with the consultants indicated that recommendations will include tabling an electrification requirement for the time being due to significant costs in electrifying existing buildings. A public report is anticipated to be released next month on the findings and recommendations for moving forward. While this report may or may not be relevant in Menlo Park, it will be important to consider along with the cost effectiveness analysis in forming a final recommendation to City Council and before engaging with the public.

Public engagement for CAP goal No. 1

It was anticipated that a public engagement professional be hired for CAP goal No. 1 early this year. However, as the full project team began meeting in January to fully scope the project and as the analysis constraints described above were presented, it became clear that it would be too soon for effective engagement.

The main issue is no formal policy direction or draft ordinance has been approved by City Council to engage the public on at this time. The CAP provides potential policy examples such as a burnout ordinance, but leaves open other policies that could help effectively achieve the goal and reduce impacts to property owners. Other agencies are also exploring/understanding that various policies and programs will be needed in order to meet their electrification goal for existing buildings cost effectively. There are also unknown resource impacts to the City in adopting an electrification requirement as the implementation strategy would likely require new resources or programs, such as building inspections upon sale of a property.

While education is and will continue to be necessary for property owners on how to electrify, it will be equally important for the public to know what kind of electrification policy the City Council is willing to adopt as a result of a cost effectiveness analysis and city resources needed to implement. In addition, there are entities that are currently educating property owners on how to electrify and include free technical assistance and incentives to further motivate education of property owners.

These entities include Peninsula Clean Energy, BayREN and local environmental nonprofits. The City does amplify their education efforts through news items to the community, social media post, city website material and waste bill inserts.

As stated in the table timeline above, public engagement will be aimed at educating the public on how to

achieve the potential electrification requirements cost effectively and identify any further appropriate exemptions that may be needed to implement proposed ordinance(s.)

Table 2: CAP goal No. 2: Set citywide goal for increasing EVs and decreasing gasoline sales		
Project status	March 23 recommended next steps	Alternatives
2020 July-Not approved by City Council for work this year		
September-EQC Recommendation: Defer to the Beyond Gas Initiative to implement on behalf of the City	Staff recommendation: City Council approval of the EQC's recommendation through amendment to CAP. The Beyond Gas Initiative (BGI) is currently operating under Joint Venture Silicon Valley. The City Council can formally acknowledge participation through a CAP amendment. Staff will continue to work with BGI within current staff capacity and using existing communication mediums to promote and market information from BGI.	Provide additional direction/guidance to implement. Any further actions/tasks may require additional resources that would need to be analyzed and brought back to City Council for final approval.
November -EQC presented recommendation to City Council (Attachment E.) City Council directed staff to analyze EQC recommendation		
2021 March 23 – City Council consider approval of next steps		

Table 3: CAP goal No. 3: Expand access to EV charging for multifamily and commercial properties		
Project status	March 23 recommended next steps	Alternatives
<p>2020</p> <p>July-Approved by City Council to work on this fiscal year</p>		
<p>October-City Council directed staff to explore various policy requirements (e.g reach codes) for existing multifamily buildings to install Level 1 (standard household plug) charging and to return with needed budget appropriation to complete work</p>	<p>Staff recommendation: Staff will continue to monitor the effectiveness of charging infrastructure incentives, and promote/market the incentives to multifamily property owners and tenants. See attached memo (Attachment F.)</p>	<p>1. Provide additional guidance/direction on implementation. Any further actions/tasks may require additional resources that would need to be analyzed and brought back to City Council for final approval.</p> <p>2. Suspend work and focus on other CAP goals</p>
<p>November-Mid-year budget request for additional funds provided to City Council, and was continued to 2021</p>	<p>EQC recommendation: Leveraging the relationships that the City Council has with existing multifamily property owners, the EQC requests that City Council members have at least 10 formal conversations with multifamily property owners in hopes to have at least one EV charger installed at two multifamily properties by August 31, 2021. City Council can refer interested property owners to staff to help facilitate free technical and incentive assistance.</p>	
<p>2021</p> <p>January-City Council directed staff to discontinue work on policy requirements and instead promote statewide incentives to install charging at multifamily and commercial properties</p>		
<p>March 23 – City Council consider approval of next steps</p>		

Table 4: CAP Goal No. 4: Reduce vehicle miles traveled (VMT) by 25% or an amount recommended by the Complete Streets Commission		
Project status	March 23 recommended next steps	Alternatives
<p>2020</p> <p>July-Not approved by City Council for further work this year due to current projects underway: SB2 Housing grant, Transportation Management Plan, Transportation Management Association, and implementation of new VMT guidelines for new development</p>	<p>Staff recommendation: City Council direct the CSC to include in their two-year work plan development of a VMT reduction target.</p>	
<p>September-EQC Recommendation: Empower Complete Streets Commission (CSC) with support from EQC to propose a VMT reduction target and present to City Council for approval, and request that CSC sort TMP projects by VMT-reduction potential and present highest potential projects to City Council for priority implementation</p>	<p>The current CSC work plan includes studying how projects in the Transportation Master Plan can be prioritized that directly benefit the CAP (Attachment G.)</p> <p>City Council will then have the ability to appropriate funding for projects in the capital improvement plan for funding as part of fiscal year 2021-22 budget adoption. This is anticipated to be completed in the next few months by the CSC. New projects added to fiscal year 2021-22 may have additional resource demands that will need to be assessed.</p>	<ol style="list-style-type: none"> 1. Focus on current work underway and proposed in CSC work plan. 2. Provide direction to staff on additional work or tasks. Any further actions/tasks may require additional resources that would need to be analyzed and brought back to City Council for final approval.
<p>November-EQC recommendation presented to City Council. City Council directs staff to evaluate and return with recommendation. Attachment E</p>		
<p>2021</p> <p>March 23 – City Council consider approval of next steps</p>		

Table 5: CAP goal No. 5: Eliminate the use of fossil fuels from municipal operations

Project status	March 23 recommended next steps	Alternatives
<p>2020 April- Adopted a sustainable fleet policy</p> <p>July- Approved by City Council to work on this fiscal year</p>	<p>The MPCC project includes EV charging infrastructure, electrifying the pool heating operations, and installing a solar + battery storage system (renewable microgrid) for resiliency and operational savings.</p>	<p>Provide direction to staff on additional work or tasks. Any further actions/tasks may require additional resources that would need to be analyzed and brought back to City Council for final approval</p>
<p>2021 March 23-Remaining resources are being fully utilized on eliminating fossil fuels for the Menlo Park Community Center (MPCC) project</p>	<p>Project design is underway and development of a Request for Proposals for the renewable micro grid is anticipated to be released in March/April. See renewable microgrid staff report in this agenda (Attachment I)</p>	

Table 6: CAP goal No. 6: Develop a climate adaptation plan to protect the community from sea level rise and flooding

Project status	March 23 recommended next steps	Alternatives
<p>2020 July: Not approved by City Council for further work this year due to current projects and programs underway. See below.</p> <p>The Safety Element in Menlo Park’s General Plan, which was updated in 2013, will be updated to bring it into compliance with recent changes in General Plan law, including SB 379 (Climate Adaptation and Resiliency.) See Housing Element staff report in this agenda.</p> <p>Menlo Park SAFER Bay Federal Emergency Management Agency (FEMA) BRIC grant application. The FEMA BRIC grant is a program offering up to \$50 million of federal funds for projects that reduce risks from disasters and natural hazards. The Menlo Park SAFER Bay grant application proposes to construct approximately 3.7 miles of nature-based flood control and sea level rise barriers along the San Francisco Bay shoreline. This will be a significant advancement toward the ultimate goal of providing full flood protection for the residents and business near the Bay. See full summary in Attachment H.</p> <p>Resilient San Mateo, a flood and sea level rise resiliency district, has been formed to support planning and mitigation measures for coastal erosion, sea level rise, and flooding threats up to 2100. Menlo Park is a member of this agency and pays dues annually through funds provided in the capital improvement plan. This work covers Menlo Park’s neighborhoods adjacent to the bay and creeks. In February, the Flood and Sea Level Rise Resiliency District board of directors authorized the Bayfront Canal and Atherton Channel Flood Protection and Ecosystem Restoration project to go out to bid. Bidding is currently underway for pre-qualified bidders.</p>	<p>Staff recommendation: At this time, staff is awaiting FEMA’s recommendations on funding for the grant application submitted; a decision is anticipated by summer 2021. SAFER Bay implementation is identified on the draft City Council work plan.</p> <p>While the SAFER Bay project will provide significant sea level rise protection to Menlo Park’s vulnerable neighborhoods, there are still gaps in providing full protection. Staff will continue to actively work with neighboring communities and other agencies to close these gaps and seek further funding.</p> <p>Staff will continue to monitor Resilient San Mateo’s regular agendas and work, and update the City Council on significant work efforts impacting Menlo Park through the City Council’s work plan quarterly reports. The Assistant Public Works Director attends the regular meetings, and City Councilmember Taylor is serving as the City Council’s liaison. This provides further opportunity for City Councilmembers to receive updates at City Council meetings.</p> <p>EQC recommendation (September 2020): Request quarterly updates (at least) from staff on decisions made by the San Mateo County Flood and Sea Level Rise Resiliency District board of directors. Consider assigning a City Councilmember to attend Board meetings and report back to City Council on a regular basis. Inquire about Menlo Park gaining a seat on the Board. Attachment E</p>	<p>Any further actions/tasks may require additional resources that would need to be analyzed and brought back to City Council for final approval.</p>

Impact on City Resources

Completing this work is within the CAP budget, and no additional budget requests are necessary at this time.

Environmental Review

The environmental impacts of CAP strategies and any California Environmental Quality Act (CEQA) compliance needs will be identified as they are approved for work by the City Council and analyzed further.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Hyperlink – 2030 CAP: menlopark.org/ArchiveCenter/ViewFile/Item/11486
- B. Hyperlink – CAP staff report, July 14, 2020: menlopark.org/DocumentCenter/View/25680/F1-20200714-CC-CAP
- C. Hyperlink – CAP Action No. 1 progress report: menlopark.org/DocumentCenter/View/27429/L2-20210223-CC-CAP-No-1
- D. Pathways to expedite adopting an electrification policy for existing buildings (CAP goal No. 1)
- E. Hyperlink – EQC report and recommendations on CAP strategy Nos. 2,4, and 6: menlopark.org/DocumentCenter/View/26766/G2-Presentation
- F. Memo to City Council on proposed staff and EQC recommendation for implementing CAP strategy No. 3
- G. Hyperlink – Complete the Streets Commission two year work plan: menlopark.org/DocumentCenter/View/27570/G2-20210309-CC-CSC-work-plan
- H. Menlo Park SAFER Bay FEMA BRIC grant application summary
- I. Hyperlink – Informational staff report to install a renewable microgrid at the MPCC: menlopark.org/DocumentCenter/View/27675/J4-20210323-MPCC-power-purchase-agree

Report prepared by:

Rebecca Lucky, Sustainability Manager

Reviewed by:

Nick Pegueros, Assistant City Manager

Nikki Nagaya, Public Works Director

Attachment D: Approaches to adopting a electrification requirement for existing buildings (CAP goal No.1)

Possible Approaches	Time Line	Benefits	Possible Risks
<p>No formal public engagement except at public meetings for introduction and adoption.</p> <p>No formal analysis from staff of upfront cost and utility bill impacts to property owners.</p> <p>No analysis from staff of city resources needed to ensure implementation and enforcement.</p>	<p>Adoption July 2021 or sooner.</p>	<p>May expedite CAP goal No.1</p>	<p>May not achieve CAP goal No.1.</p> <p>May have little to no compliance.</p> <p>May result in negative public reaction that can delay implementation taking the same amount of time as third approach.</p> <p>May not address equity needs in Menlo Park.</p> <p>May increase legal challenges that could delay implementation, and require the city to conduct further analysis and public engagement.</p>
<p>No formal public engagement except at public meetings for introduction and adoption.</p> <p>No formal analysis of upfront costs and utility bill impacts to property owners.</p> <p>Analyze city resources needed to ensure implementation and enforcement.</p>	<p>Adoption possibility by end of 2021 or sooner.</p>	<p>May slightly expedite CAP goal No.1.</p> <p>May receive improved implementation and enforcement leading to higher compliance rates.</p>	<p>Similar to first approach above with the exception of inability to achieve compliance due to enforcement and implementation issues.</p>
<p>Staff Recommendation:</p> <p>Pubic engagement with industry stakeholders and community to educate on policy requirements and how to prepare, and explore any further considerations or exemptions needed prior to City Council adoption.</p> <p>Analyze upfront cost and utility bill impacts to property owners.</p> <p>Analyze city resources needed to ensure implementation and enforcement.</p>	<p>Adoption 2022</p>	<p>More likely to achieve CAP No.1 goal to convert 95% of existing building to electric.</p> <p>Public engagement would help address equity issues and possible policy constraints due to technology and industry knowledge gaps.</p> <p>Less risk of legal challenges.</p> <p>Better implementation and higher compliance.</p>	<p>Takes longer</p>



MEMORANDUM

Date: 3/23/2021
To: City Council
From: City Manager's Office: Sustainability Division
Re: Climate Action Strategy No. 3 (expand access to electric vehicle charging infrastructure) implementation update

Staff Recommendation

Staff recommends monitoring the state policy implementation and regional incentive efforts for the remainder of 2021 to inform the next steps in implementing this CAP strategy. The results could be presented in 2022 to the EQC and the City Council to confirm next steps for CAP strategy No. 3 implementation. In addition to monitoring, staff will:

- Continue to amplify and provide outreach on state and regional incentives to the maximum extent possible with current capacity and existing communication mediums.
- Explore direct outreach and education opportunities to inform multifamily residents of tenant's rights to install electric vehicle charging in parking spaces associated with rental or lease agreements.

Environmental Quality Commission (EQC) Recommendation (February 2021)

Leveraging the relationships that the City Council has with existing with multifamily property owners, the EQC requests that City Council members have at least 10 formal conversations with multifamily property owners in hopes to have at least one EV charger installed at two multifamily properties by August 31, 2021. City Council can refer interested property owners to staff to help facilitate free technical and incentive assistance.

Background

Since the adoption of Menlo Park's first CAP (2009), gasoline vehicles continue to be the largest contributor (55 percent) of greenhouse gas (GHG) emissions in Menlo Park. As of 2017, the use of gasoline vehicles represents 158,687 tons of Menlo Park's total emissions, and if not addressed, are predicted to increase to 198,525 tons by 2030. A large part of the solution to reducing these emissions will involve transitioning residents and businesses toward using electric vehicles (EVs).

Accessible, convenient, and affordable charging is necessary to support the transition from gasoline to electric vehicles. A study of the gaps in Menlo Park's electric vehicle (EV) charging infrastructure was completed as part of the 2030 CAP under action No. 3 (expand access to EV charging). A major finding of this analysis is that less than 3% of residents living in multifamily homes have access to EV charging stations within a quarter mile of their residence. Even less (1%) have access to at-home charging which is a major factor in purchasing an electric vehicle.

Given the results of the gap analysis and the city's ambitious goal of carbon neutrality by 2030, staff recommended the development of four (4) policy options that could require a certain amount of EV charging spaces for existing multifamily properties, particularly for Level 1 charging (household plug outlet). The gap analysis and policy options are described in City Council staff report 20-239-CC.

Upon review of the study results, the Environmental Quality Commission (EQC) advised the City Council to focus on on-site charging for existing multifamily properties to not only to reach carbon neutrality by 2030, but more importantly, to address long term equity issues related to EV charging preference, access, and

cost. The study results, budget needs for further policy development, and EQC recommendations were presented to City Council in October 2020. The City Council gave consensus on moving forward with developing requirements and return to City Council with a mid-year budget request to further fund the effort. In January, the City Council did not approve the mid-year budget request for this project due to recent state policy banning the sale of new gasoline-powered vehicles and regional incentive programs that promote EV charging infrastructure.

Recent state policy related to EV charging infrastructure

In September 2020, Governor Gavin Newsome announced California will phase out gasoline-powered cars to reduce transportation emissions statewide. Executive Order N-79-2020 establishes zero emission vehicle (ZEV) (e.g., electric, hydrogen, etc.) sales goals in the state including:

- By 2035-100 percent of new passenger cars and trucks sold be zero-emission
- By 2045-100 percent of new medium- and heavy-duty vehicles sold be zero-emission where feasible
- Accelerate deployment of affordable fueling and charging options to serve all communities, particularly low-income and disadvantaged communities

This order only establishes goals for new ZEV sales and does not include provisions for used vehicles. Also, no specific funding mechanisms have been identified to accelerate deployment of affordable fueling and charging options for multifamily residents.

Regional incentives program status

The following EV charging funding/incentive programs are currently open for application:

- Peninsula Clean Energy (PCE) EV ready program in partnership with the state's CALeVIP program provides \$24 million in incentives for the installation of EV charging at public locations including multifamily properties. This program represents two distinct funding pools: \$20M administered under CALeVIP adherent to state program requirements and \$4M administered at PCE's discretion to address critical market segments not included in the CALeVIP program (e.g., Level 1 charging, assigned parking in multifamily dwellings, etc.). It is important to note, most of the funding (\$20M) is only available to public parking areas, making it challenging for multifamily properties with private, assigned parking areas to qualify. Incentives for multifamily properties include:
 - For Level 1 (standard household outlet): up to \$2,000 per connector. Please note, PCE cost analysis anticipates this incentive will cover full project cost.
 - For Level 2: up to \$5,500 per connector or up to 75 percent total project costs, whichever is less.
 - Up to an additional \$4,000 for electrical panel upgrades.
 - Free technical assistance to maximize incentive use.
 - **Current program status:**
 - Application for the CALeVIP fund program (\$20M) is currently oversubscribed; fund request applications exceed total funds available.
 - Please note, these funds went very quickly. CALeVIP application opened on December 16, 2020 at 8:45 a.m. and by 8:51 a.m. all funds were provisionally reserved. These early applications were also heavily dominated by EV charging vendors (e.g., ChargePoint, EVgo, etc.). Due to program restrictions, it is unlikely multifamily family properties were able to secure funding due to private, assigned parking conditions on-site.
 - The technical assistance program is still open. In addition to continuing to accept new applications for eligible sites, PCE is directing applicants who were unable to reserve CALeVIP

- funds to alternative sources.
 - Status of the \$4M in funds administered at PCE’s discretion to address critical market segments, such as multifamily properties, is currently unknown.
 - Application details such as project site type (e.g., commercial, workplace, or multifamily property, etc.) and project location (i.e., city) are currently unknown.
- Bay Area Air Quality Management District (BAAQMD) Charge! program provides \$6M in funds to offset the cost of purchasing and installing new chargers for light-duty EVs in public locations including multifamily properties. Incentives for multifamily properties include:
 - For Level 1 (standard household outlet): up to \$1,500 per connector.
 - For Level 2: up to \$7,000 per connector depending on power level. (Level 2 chargers range in power from 12 to 80A.)
 - **Current program status:**
 - Charge! is a competitive solicitation. All project applications will be scored and ranked; projects located at multifamily properties are among those which will receive higher prioritization.
 - Project proposals have minimum usage requirements, though multifamily properties may qualify for reduced usage requirements.
 - Minimum qualifying grants for project proposals is \$1M except for government sponsored projects and projects exclusively located at multifamily properties, which must qualify for a minimum of \$10,000.
 - All program applicants must attend a pre-application workshop. The final pre-application workshop for this cycle was held on March 2, 2021. Please note, Charge! is a recurring grant program that may be available in coming fund years.
 - Program application is now open. All program applications are due on or before March 18, 2021.

Projected impacts of state and regional incentives on Menlo Park’s 2030 carbon neutrality goal

Both PCE and BAAQMD are still compiling and evaluating incentive applications; the effects of increased EV charging infrastructure funding are still unknown. Given traditional incentive adoption curves, 10-15 percent regional participation is expected. Considering approximately 30% of Menlo Park residents live in multifamily properties of four or more units (~40% including condominiums and two or more unit properties) and must compete with other cities and counties for funding, it is unlikely that the state and regional incentives alone will support multifamily properties and the City in meeting its carbon neutrality goal by 2030.

Preliminary results of applicants for the state and regional incentives show higher participation for commercial properties rather than multifamily property owners. While more local public charging is expected and will be of great benefit, this will still be problematic for multifamily residents when considering the EV driver’s need for charging convenience, equity, and reduced costs. Multifamily residents without at-home charging are also at significant risk for increased space/charge time competition at public charging stations. In addition to competition with other multifamily residents, they may have to contend with long distance commuters, commercial and shared driving services in public charging spaces. Ultimately, it will be very difficult for multifamily residents to transition equitably from gasoline to electric vehicles at the rates necessary to achieve carbon neutral by 2030 without at-home charging. Figure 1 below depicts the importance of providing at-home EV infrastructure based on current EV driver charging preferences/behavior.

Figure 1: Current EV Charging Behavior/Preferences



Source: Transportation Research Board and National Research Council. 2015. *Overcoming Barriers to Deployment of Plug-in Electric Vehicles*

Recommended actions to implement Climate Action Plan Strategy No. 3 (EV infrastructure) for 2021

The state and regional EV charging incentives will be an important indicator to track whether the City will be able to achieve carbon neutrality by 2030. As a result, staff is recommending the City Council continue to track and monitor incentive programs over the 2021 calendar year to determine their effectiveness in providing EV charging, particularly at existing multifamily properties. Staff will present an update on incentive program status in 2022. This update will include a review and report of any relevant federal, state, or city policies adopted during the study period. This update will inform the next steps implementation strategy for CAP strategy No. 3 (expand EV charging).

In the interim, PCE will be the lead agency for marketing, outreach, and administration of CALeVIP and PCE funding for EV charging infrastructure for multifamily properties. City staff will supplement marketing efforts to the maximum extent possible with current capacity and using existing communication mediums (e.g. social media posts, digest items, mailers, bill inserts, webpage development) without impacting other high priority projects (e.g., existing building electrification requirements). Additionally, staff will explore the development of direct outreach and education opportunities to inform multifamily residents of tenant's rights to install electric vehicle charging in parking spaces associated with rental or lease agreements.

Upon review staff recommended actions, the Environmental Quality Commission advises the City Council to support the EQCs effort as individuals by leveraging its social capital and providing direct contact or introduction to multifamily property owners. The EQC's stated goal is to have at least 10 formal conversations with multifamily property owners resulting in the installation of at least one (1) new EV charging spaces at two (2) existing multifamily property sites by August 31, 2021.

Menlo Park SAFER Bay Project

Partners



FACEBOOK



The project team includes a cross-section of local partners, including federal, state and local government agencies, non-profits and the private sector.

The team has come together to apply for a competitive, pre-disaster mitigation grant from FEMA to cover up to 75% of the project costs.

Working together to protect critical infrastructure

The Menlo Park SAFER (Strategy to Advance Flood protection, Ecosystems, and Recreation) Bay Project has applied for a FEMA grant to protect critical infrastructure amid growing threats of climate change. This project represents wide-ranging local, state, and federal interests. If funded, the project will construct a series of levees to protect critical electrical supply infrastructure and advance the ultimate goal of protecting Menlo Park, East Palo Alto, and Palo Alto from projected coastal flooding and sea-level rise. Using nature-based solutions, the levee will allow for habitat restoration of over 550 acres of former salt ponds, and it will increase public recreational access. Construction of the project will also create jobs and engage local communities at every step.



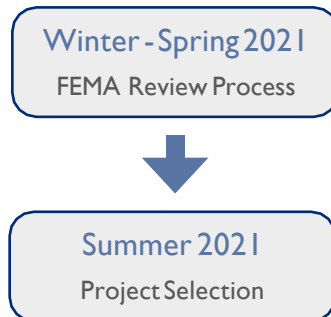
This map shows the complete SAFER Bay project alignment. Highlighted in yellow, the Menlo Park SAFER Bay project will design and construct sea level rise protection for reaches 3 and 4, and portions of reaches 2 and 5.

To ensure Menlo Park's resilience against sea level rise, this project will:

- Support Menlo Park's climate action plans and local electricity grid by protecting PG&E's Ravenswood Substation.
- Construct extensive portions of the SAFER Bay alignment to advance the ultimate goal of protecting Menlo Park, East Palo Alto, and Palo Alto from coastal flooding and sea level rise.
- Engage local, disadvantaged communities in building climate-smart infrastructure.
- Generate local jobs and economic opportunities as the state prepares for climate adaptation.
- Create needed transition-zone habitat in the San Francisco Bay, and facilitate salt pond restoration goals.
- Enhance public access and create recreational opportunities along the San Francisco Bay shoreline.

Menlo Park SAFER Bay Project

Application Timeline



About FEMA’s grant program

“Building Resilient Infrastructure and Communities” (BRIC) is a new pre-disaster mitigation program administered by FEMA. The BRIC program provides competitive grants to states, local communities, tribes, and territories, to undertake hazard mitigation projects that will increase resilience and disaster preparedness in the context of climate resilience and adaptation. Learn more at [fema.gov/bric](https://www.fema.gov/bric).

BRIC seeks to support programs that:

- are cost-effective
- increase resilience and public safety
- reduce injuries and loss of life
- reduce damage and destruction to property, critical services, facilities, and infrastructure.

Key Criteria for Successful Application

The Menlo Park SAFER Bay Project meets many of the criteria FEMA seeks, including:

Criterion	Project
Infrastructure Project	Ecotone and traditional levees
Uses nature-based solutions	Ecotone levee mimics a natural transition zone that protects habitats and promotes restoration
Increased non-federal cost share	PG&E and Facebook providing up to 26% of costs
Mitigates risk to one or more lifelines	Protects PG&E Ravenswood substation (power)
Provides community-wide benefits	In addition to protecting infrastructure, provides habitat and recreational benefits
Leverages partners	Nine partners representing cross-section of local, state, and federal interests

Support the project

Strong outreach and partnership are key qualitative criteria used to assess applications. If you are interested in demonstrating your support for the project or have further questions, please email Eric Hinkley at EMHinkley@menlopark.org

Agenda item H1
Victor Buathier, Resident

Hello City Council,

I'm all in for the future of our kids but, let's pull on the brakes a little here on forcing everyone in Menlo Park and across the area to go fully electric by 2030. I have tried going with solar panels to reduce my electric bill with no actual solutions from any of the companies in the bay area that will provide us with the kWh's that our household needs due to our rooflines.

So let's start where the main problem is, and that's with PGE. Every city that is forcing every household to switch to electricity is going to keep feeding a company (PGE) that is doing nothing to help its customers. Every time that there's a fire, outage, death, lawsuits, or just preventive maintenance, they just turn a blind eye and tell the public that there are not enough funds.

So, here's the good news, they turn to The Public Utilities Commission and ask for a large percentage (like clockwork) to raise our electric bills to pay for the lawsuits and fire damages and pass the buck to the customers again. But yet, they can turn right around and pay their CEOs millions in bonuses.

I wouldn't mind going all-electric if it's a company that will be working with or for the customers and I just don't see that in PGE. I see a company that is just laughing at all of the commissioners in the Northern California areas (where PGE supplies Electricity) who are playing right into their hands. In order to have a better Electric Company, one just doesn't feed one that is ripping off its customers.

Just look at what is coming up, they want to charge peak price on homeowners from 4:00 pm to 9:00 pm. I don't know about most of you but, that's when we get home and start dinner, clean up the house as much as one can, and if it's hot outside, you want to turn up the AC, not down as PGE wants you to. Here's PGE's recommendation, 80 degrees, really? I would love to go into one of the CEOs' homes when it's 80 degrees outside and see where their thermostat is, good luck.

One more item, what's with the tier program that they have now, really? I have been lived in four states and this is the first time that a company like PGE has had the opportunity to charge customers on tier levels, unbelievable.

Thank you,
Victor

LET US FIX PGE FIRST, QUIT FEEDING THE COOKIE MONSTER AS THEY ARE NOT GOING TO CHANGE UNLESS SOMEONE FORCES THEM TO.



2030 CLIMATE ACTION PLAN PROGRESS AND NEXT STEPS FOR 2021

Rebecca Lucky, Sustainability Manager





GENERAL GOAL FOR THIS AGENDA ITEM

- Determine if the staff recommendation for 2021 implementation is aligned with City Council and provide clarity and direction if needed/desired
- For 2022 and beyond, implementation will be discussed in July through the annual Climate Action Plan update



POSSIBLE PROCESS APPROACH

1. Separately discuss and vote on each Climate Action Plan (CAP) goal's 2021 implementation strategy
2. Table to another meeting any CAP goals that are difficult to come to a consensus on or require further discussion or analysis
3. Depending on the length of this agenda item, continue any remaining CAP implementation discussion to another meeting
4. Amend CAP to include 2021 implementation decisions to be brought back as a consent item at a future meeting



CAP GOAL NO. 1: EXPLORE POLICY/PROGRAM OPTIONS TO CONVERT 95% OF EXISTING BUILDINGS TO ALL-ELECTRIC BY 2030



Recommended next steps

Approve timeline for project completion:

1. **May**- Complete analysis work
2. **June**- EQC recommendation
3. **July/August**- City Council considers analysis and policy approaches
4. **Fall 2021**- Begin public engagement
5. **2022**: City Council adopt ordinance(s) based on public engagement and final EQC recommendations

Alternatives

1. Consider omitting tasks to expedite timeline
2. Defer to the Environmental Quality Commission (EQC) for advice
3. Provide further guidance/direction on implementation
4. Suspend work and focus on other CAP goals



CAP GOAL NO. 2: SET CITYWIDE GOAL FOR INCREASING EVS AND DECREASING GASOLINE SALES



Recommended next steps

Staff recommendation: City Council approval of the EQC's recommendation to implement through the Beyond Gas Initiative

Alternatives

Provide additional direction/guidance to implement. Any further actions/tasks may require additional resources that would need to be analyzed and brought back to City Council for final approval.



CAP GOAL NO. 3: EXPAND ACCESS TO EV CHARGING FOR MULTIFAMILY AND COMMERCIAL PROPERTIES



Recommended next steps

Staff recommendation: Staff will continue to monitor the effectiveness of charging infrastructure incentives, and promote/market the incentives to multifamily property owners and tenants

EQC recommendation: Leveraging the relationships that the City Council has with existing multifamily property owners, the EQC requests that City Council members have at least 10 formal conversations with multifamily property owners in hopes to have at least one EV charger installed at two multifamily properties by August 31, 2021. City Council can refer interested property owners to staff to help facilitate free technical and incentive assistance.

Alternatives

1. Provide additional guidance/direction on implementation. Any further actions/tasks may require additional resources that would need to be analyzed and brought back to City Council for final approval
2. Suspend work and focus on other CAP goals



CAP GOAL NO.4: REDUCE VEHICLE MILES TRAVELED (VMT) BY 25% OR AN AMOUNT RECOMMENDED BY THE COMPLETE STREETS COMMISSION



Recommended next steps

Staff recommendation: Approve EQC recommendation to direct the CSC to include in their two-year work plan development of a VMT reduction target.

The current CSC work plan includes studying how projects in the Transportation Master Plan can be prioritized that directly benefit the CAP.

Alternatives

1. Focus on current work underway and proposed in CSC work plan
2. Provide direction to staff on additional work or tasks



CAP GOAL NO. 5: ELIMINATE THE USE OF FOSSIL FUELS FROM MUNICIPAL OPERATIONS



Recommended next steps

Staff recommendation: continue current direction from City Council to replace assets and equipment upon burnout, and use current staff capacity toward eliminating fossil fuels at the Menlo Park Community Campus project.

Alternatives

Any further actions/tasks may require additional resources that would need to be analyzed and brought back to City Council for final approval.



CAP GOAL NO. 6: DEVELOP A CLIMATE ADAPTATION PLAN TO PROTECT THE COMMUNITY FROM SEA LEVEL RISE AND FLOODING



Recommended next steps

Staff recommendation: Await FEMA's recommendations on funding for the SAFER Bay project grant application this summer. Staff will continue to monitor Resilient San Mateo's regular agendas and work, and update the City Council on significant work efforts impacting Menlo Park through the City Council's work plan quarterly reports.

EQC recommendation (September 2020): Request quarterly updates (at least) from staff on decisions made by the San Mateo County Flood and Sea Level Rise Resiliency District board of directors. Consider assigning a City Councilmember to attend Board meetings and report back to City Council on a regular basis. Inquire about Menlo Park gaining a seat on the Board.

Alternatives

Any further actions/tasks may require additional resources that would need to be analyzed and brought back to City Council for final approval.



THANK YOU



STAFF REPORT – CONTINUED FROM ~~3/9/2021~~ 3/23/2021

City Council

Meeting Date: ~~3/9/2021~~ ~~3/23/2021~~ 4/6/2021

Staff Report Number: 21-050-CC

Regular Business: **Direction on cost recovery policy (City Council Procedure #CC-10-001), library overdue fines and recreation user fees**

Recommendation

Staff recommends that the City Council:

1. Direct staff to eliminate library overdue fines in conjunction with the next update to the master fee schedule
2. Direct staff to develop a pilot program to provide additional need-based scholarships for recreation programs citywide
3. Direct staff to develop a pilot program to eliminate user fees for recreation programs whose target participants are Menlo Park residents ages zero to five
4. Amend the cost recovery policy by inserting a statement that prioritizes equity and access to library and recreation programs when determining user fees.

Policy Issues

City Council adopts fees to recover the cost for various city services to minimize the demand on general taxes for services that have an individual benefit. To guide the establishment of fees, the City Council adopted a user fee cost recovery policy, #CC-10-001, Attachment A. The user fees themselves are established by City Council in the master fee schedule. The City Council may set new fees, change fee amounts, or eliminate fees at its discretion, subject to applicable law.

Background

On February 23, City Council convened a public study session to discuss the cost recovery policy and provide direction to staff for potential equity-based revisions to the policy as it pertains to community access to library and community services programs. What follows is a list of key considerations voiced by City Councilmembers during the February 23 study session discussion. They are here listed in no particular order and are numbered solely for convenient reference:

1. Eliminate library overdue fines
2. Innovative/new approaches to equity are important and should be explored, however creating models that are sustainable, both economically and operationally, also is important
3. Scholarships and sliding scales help move toward equity and are worth doing, but are perceived by some as half-measures that do not of themselves achieve complete equity
4. Provide examples from other municipalities that prioritize/approach cost recovery through an equity lens
5. Provide details of current fee-assistance programs in the city - Beyond Barriers aquatics scholarships, etc.
6. Provide details of "pay what you can/ suggested donation" model, how would it work
7. Provide details of potential fiscal and/or operational impacts; explore alternative means to recover some

costs

8. Approach from the perspective that no resident should be denied service because they can't pay. This approach may be more suitable to some services than others
9. Consider increasing non-resident fees to offset cost recovery while reducing or eliminating resident fees
10. Focus less on cost recovery when making decisions about community programs and facilities; prioritize serving the community first
11. Consider the needs of residents of neighboring unincorporated areas who have Menlo Park street addresses and who primarily access services in Menlo Park
12. Solve problem/barrier of registration logjams (multiple users logging in at midnight to compete for limited registration slots.) Possibilities: lottery system, phased registration
13. Investigate options to facilitate affinity groups during registration, for example, children who live in different households and who want to participate in city programs together
14. Start with a pilot program that tests a no-fee model in a specific recreation program or set of programs focused on an objective already identified in the cost recovery policy - for example, health/wellness/movement programs for youth
15. Leverage any pilot project that is implemented now to serve as a testbed for programs in the Menlo Park community campus
16. Identify options for creating a community pass or membership card for residents to access services.

Analysis

City Council direction to staff

Based on the input provided to staff at the February 23, 2021 study session, staff has investigated a number of the potential changes to the cost recovery policy and the implications these would have on budgeting and programming, described in greater detail below.

Equity as a priority

The National Academy of Public Administration has defined the term “social equity” as, “The fair, just and equitable management of all institutions serving the public directly or by contract; the fair, just and equitable distribution of public services and implementation of public policy; and the commitment to promote fairness, justice, and equity in the formation of public policy.”¹

The City Council’s budget principles, most recently adopted for fiscal year 2020-21, include the following excerpts:

- “2. Provide City services and infrastructure that contribute to quality-of-life in Menlo Park
“c) Strive to balance the resources and requirements of each area of the City in an equitable manner through the use of equitable tools”

These principles as written are not in direct conflict with the City’s cost recovery policy, however the City Council may consider articulating these principles more clearly into the cost recovery policy. If directed, the cost recovery policy could be amended to explicitly prioritize equity and programming as goals for some service areas rather than target cost recovery amounts.

¹ <https://www.napawash.org/working-groups/standing-panels/social-equity-in-governance/>

Elimination of library overdue fines

On February 23, City Council expressed interest in eliminating library overdue fines, noting that several library jurisdictions within San Mateo County and in the Bay Area region have eliminated these fines in recent years. Studies undertaken in many of those jurisdictions have indicated that library overdue fines disproportionately impact low-income residents and communities of color, and that the administrative and staffing costs of tracking and collecting overdue fines typically exceed the value of the fines collected. For a local example, the San Mateo County Library system in 2018 completed a study which led to these conclusions and resulted in the elimination of library overdue fines in that jurisdiction (Attachment B.)

The City of Menlo Park fiscal year 2020-21 operating budget includes a projected \$42,000 in revenues from library fines, consistent with the actual amounts of library fines collected in recent fiscal years. (Attachment C.) Menlo Park library's processes for collecting overdue fines are essentially identical to those used by San Mateo County library before that jurisdiction's elimination of overdue fines and can be fairly estimated to have a proportionately similar administrative cost burden which would be eliminated if fines were eliminated. Should City Council so direct, staff will incorporate the elimination of library overdue fines in the next master fee schedule update tentatively scheduled March 23.

Equity in municipal recreation – current practices and emerging trends

The National Recreation and Park Association (NRPA) has taken steps in the direction of social equity, including by adopting a statement, "Social Equity and Parks and Recreation,"² that reads in part:

Our nation's public parks and recreation services should be equally accessible and available to all people regardless of income level, ethnicity, gender, ability or age. Public parks, recreation services and recreation programs including the maintenance, safety, and accessibility of parks and facilities, should be provided on an equitable basis to all citizens of communities served by public agencies. Social equity is a critical responsibility borne by every public park and recreation agency and the professionals that operate them. It is a right, not just a privilege, for people nationwide to have safe healthful access to parks and recreation.

The NRPA and its state-level counterpart California Park and Recreation Society stop short of recommending eliminating recreation user fees entirely, and instead recommend that low-income groups receive user fee subsidies in accordance with their ability to pay, while other groups should continue to pay user fees commensurate to the benefits they receive.³ The underlying principle and practice are that agencies set user fees to market rate and offer need-based subsidies on a case-by-case basis, and that full fare programs reflect the true cost of the programs and convey quality. In practice, this typically takes the form of scholarships and other application- and eligibility-based fee assistance programs.

Most municipal recreation programs impose user fees for general public access to recreation programming and typically seek to address equity concerns through scholarship programs that include an application process to assess and document each applicant's eligibility based on their income, their demographics or other factors. Most municipalities that offer some form of scholarship program require income verification either via pay stubs or W-2/ federal income tax return, while others accept any proof of public assistance, such as Medi-Cal, CalWorks, WIC or free and reduced school lunch.

² <https://www.nrpa.org/our-work/Three-Pillars/social-equity-and-parks-and-recreation/>

³ <https://www.nrpa.org/parks-recreation-magazine/2020/january/pricing-strategies-that-combat-social-injustice/>

Current scholarship / fee assistance programs in Menlo Park

Currently the City of Menlo Park offers subsidized programming aligned with its adopted cost recovery policy and master fee schedule at the Onetta Harris Community Center, Menlo Park Senior Center, Belle Haven Afterschool Program, and Belle Haven Child Development Center (BHDCD.) There are additional opportunities for fee assistance at the Onetta Harris Community Center, the gymnastics and aquatics program, and at the BHDCD.

At the Onetta Harris Community Center, the Belle Haven Community Development Fund (BHCDF), an independent nonprofit, administers the one-to-one scholarship program which waives the \$25 class fee for youth recreation classes and provides a full subsidy for up to 8 participants in the Summer of Service Camp (SOS.) In administering the program, BHCDF does not require the verification of income to receive the scholarship. Currently, City staff track the number of requested scholarships and invoices the BHCDF for reimbursement. On average there are approximately 58 scholarships awarded per year.

At the Arrillaga Family Gymnastics Center, income-qualified residents receive the reduced hourly rate of \$5/hour from the normal \$16/hour. Applicants must submit recent pay stubs and W-2 forms to qualify. The program serves approximately 15 families per year.

At the Burgess Pool and Belle Haven Pool, which are operated by third-party provider Menlo Swim and Sport, the opportunity for fee assistance comes via scholarships administered by the Beyond Barriers Athletic Foundation. In 2019, 271 youth participants (not exclusively Menlo Park residents) received free swim lessons at both Burgess and Belle Haven pools. The Beyond Barriers scholarship can also be applied toward Menlo Swim and Sport's summer camp and the lifeguard certification program.

Pilot program to provide additional need-based scholarships for recreation programs citywide

In the absence of a citywide financial assistance or scholarship program, residents with a financial need are currently limited to participating in a relatively small selection of subsidized classes at Onetta Harris Community Center for their recreational needs. Classes at the Arrillaga Family Recreation Center, Gymnastics Center and Gymnasium are not financially accessible to some residents. To illustrate this point, a January 14th article in *The Almanac*⁴ about plans to build a new community campus in Belle Haven highlighted this comment by a college student who grew up in Belle Haven:

“As a little girl growing up in the neighborhood, she said, she would study the city's activity catalog, unable to participate in the programs at the Burgess center because they were too expensive; programs at the Belle Haven location were cheaper, but were also, in some cases, canceled.”

Additional scholarship opportunities would be a step toward lowering these barriers further. For example, a pilot program to provide additional scholarship options for recreation programs citywide. This could take the form of discounting recreation fee classes by 75 percent for residents showing proof of other public assistance. Municipal recreation professional associations recommend that participants pay a nominal fee toward the activity to promote attendance, however City Council can choose to waive even the nominal fee, if desired.

To help increase community participation and streamline the administrative burden of enrollment verification to the greatest extent possible, the city could seek partnerships with local school districts to proactively enroll all Menlo Park families who are enrolled in the districts' free or discounted school lunch programs into

⁴ <https://www.almanacnews.com/news/2020/01/14/residents-urge-facebook-to-preserve-belle-haven-history>

the city's scholarship program. However, coordination with school districts would likely still entail some administrative burden to city staff, student information privacy is subject to multiple protections, and school districts are under no obligation to participate in such partnerships.

In a proposed pilot program, qualified participants could potentially receive up to one class or activity per activity guide cycle, with a maximum yearly scholarship of \$250 per individual or \$500 per family, however City Council could set different limits, if desired. In such a program, scholarships could be made available to qualified enrollees until funds allocated to the scholarships are depleted. If remaining funds are available, participants could be eligible to apply toward other activities such as summer camps.

Reduced barriers and increased access to recreation programs will be especially vital during the transitional services period during the construction of the Menlo Park community campus. During that temporary time of limited program spaces, reducing fee-based barriers to participation in recreation programs throughout Menlo Park can help offset the impacts of the temporary loss of spaces for recreation programs in neighborhoods that have been historically impacted by redlining and other discriminatory practices of the 20th century that contributed to stark inequities in wealth, health, education, employment, and other vital outcomes that continue to affect residents of Menlo Park neighborhoods to this day.

Should the City Council direct staff to develop a pilot program to provide new scholarship options citywide, staff will develop the details of the pilot program for presentation to City Council in the context of the fiscal year 2021-22 budget deliberations.

Pilot program to eliminate resident user fees for recreation programs targeted to ages zero to five years

Arguably the most barrier-free option for all residents to participate in recreation programs regardless of ability to pay would be to eliminate resident user fees entirely for those programs. Such an approach would be consistent with the long-standing programming models of public libraries, including in Menlo Park, which historically do not charge user fees for participation in programs such as story time, arts and crafts, or classes such as English acquisition. In recent years, many public libraries have taken the additional equity-oriented step of eliminating library overdue fines because of the barriers to access that fines and fees are known to create for low-income residents and communities of color.

Should the City Council so desire, eliminating resident user fees in some recreation programs would be a further step toward eliminating barriers to access for all residents. For example, the City Council could direct staff to create a pilot program to eliminate user fees for Menlo Park residents who participate in recreation programs targeted to children ages 0-five years. Such a pilot program could focus on recreation programs for young children related to music, dance, movement and introduction to sports. The city annually collects gross revenues from user fees imposed on this set of early childhood recreation programs of approximately \$238,000; with net revenues after instructor payments of approximately \$103,000 (Attachment C.) This figure does not include revenues from child care, summer camps or gymnastics programs, which are not recommended for a pilot program to eliminate user fees at this time. Child care, summer camps and gymnastics are placed in a higher level of cost recovery in the cost recovery policy, involve more intensive and higher levels of care and investment, and are recommended to continue with the current model of user fees combined with need-based subsidies or scholarships on a case-by-case basis.

Should the City Council direct staff to develop a pilot program to eliminate resident user fees for recreation programs targeted to children ages zero to five, staff will develop the details of the pilot program for presentation to City Council in the context of the fiscal year 2021-22 budget deliberations.

Additional equity-based alternatives to recreation facilities and services user fees

Another example of an innovative, equity-driven pilot program would be a “Recreation Rx” program in partnership with a local nonprofit health provider such as Ravenswood Family Health Clinic. In an effort to promote wellness to our at-risk communities, the health clinic could be provided with a set number of “recreation prescriptions” or free class passes to distribute to patients who would benefit from fitness classes. For example, a resident at-risk of heart disease, suffering from diabetes or battling obesity. Recreation Rx could be redeemed at any City of Menlo Park facility for health and wellness classes. Should the City Council direct staff to develop a 12-month pilot program targeted to accessible health and wellness opportunities for all residents, staff will develop the details of the pilot program for presentation to City Council in the context of the fiscal year 2021-22 budget deliberations.

Cost recovery policy equity statement

The following statement has been adapted from the City of Menlo Park operating budget document and the National Academy of Public Administration’s definition of social equity, and is proposed to be incorporated into the cost recovery policy in section, “Process for establishing service fee cost recovery levels” (insertion shown inline in Attachment A):

The City of Menlo Park provides services and infrastructure that contribute to quality-of-life for all Menlo Park residents. In so doing, the City strives to balance the resources and requirements of each area of the city in an equitable manner for all residents, in all neighborhoods of the City. The City of Menlo Park prioritizes social justice in decisions that affect residents’ lives: the fair, just and equitable management of all institutions serving the public directly or by contract; the fair, just and equitable distribution of public services and implementation of public policy; and the commitment to promote fairness, justice, and equity in the formation of public policy.

No change to the other fundamentals of the cost recovery policy is needed at this time unless City Council directs otherwise; implementation of the policy’s intent and any pilot programs can be expressed through updates to the master fee schedule.

Other recommended changes

Staff has incorporated the previous direction provided as well as minor streamlining changes into the proposed user fee cost recovery policy, City Council Procedure #CC-10-001, Attachment A. All changes are marked with “track changes” for clarity, and most notably include the addition of equity as a priority in the process of establishing service fee cost recovery levels, elimination of target cost recovery for some program areas, and the elimination of duplicative tables within the service category areas given their narrative direction.

Next steps

1. Master fee schedule public hearing – April 13, 2021. Staff will incorporate any cost recovery policy direction into the master fee schedule and hold a public hearing for adoption of new fees effective July 1, 2021.

Impact on City Resources

Programming decisions and revenue expectations are incorporated into the city manager’s proposed budget and will guide the development of the operating budget for fiscal year 2021-22. Staff capacity to

receive direction and incorporate changes to the cost recovery policy and master fee schedule are included in the amended fiscal year 2020-21 budget.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Proposed user fee cost recovery policy, City Council Procedure #CC-10-001
- B. San Mateo County Library – Recommendation for fine-free policy
- C. Program revenues

Report prepared by:

Dan Jacobson, Assistant Administrative Services Director
Adriane Lee Bird, Assistant Community Services Director
Sean Reinhart, Director of Library and Community Services



User Fee Cost Recovery

City Council [Procedure #CC-10-001](#)
[PROPOSED effective March 10, 2021](#)
 701 Laurel St., Menlo Park, CA 94025
 tel 650-330-6620

<p>Purpose</p> <p>A clear User Fee Cost Recovery Policy will allow the City of Menlo Park to provide an ongoing, sound basis for setting fees that allows charges and fees to be periodically reviewed and updated based on predetermined, researched and supportable criteria that can be made available to the public.</p>
<p>Background</p> <p>In 2005 the <i>Your City/Your Decision</i> community driven budget process provided community direction and initial information on approaches to cost recovery of services. In 2007, the Cost Allocation Plan provided further basis for development of a standardized allocation system by providing a methodology for data-based distribution of administrative and other overhead charges to programs and services. The Cost of Services Study completed in 2008 allowed the determination of the full cost of providing each service for which a fee is charged and laid the final groundwork needed for development of a values-based and data-driven User Fee Cost Recovery Policy. A draft User Fee Cost Recovery Policy was presented for consideration by the Council at a Study Session on February 10, 2009. Comments and direction from the Study Session were used to prepare this Fiscal Policy.</p>
<p>Policy</p> <p>The policy has three main components:</p> <ol style="list-style-type: none"> 1. Provision for ongoing review 2. Process of establishing cost recovery levels <ul style="list-style-type: none"> • Factors to be Considered 3. Target Cost Recovery Levels <ul style="list-style-type: none"> • Social Services and Recreation Programs • Development Review Programs • Public Works • Police • Library • Administrative Services
<p>Provision for ongoing review</p> <p>Fees will be reviewed at least annually in order to keep pace with changes in the cost of living and methods or levels of service delivery. In order to facilitate a fact-based approach to this review, a comprehensive analysis of the city's costs and fees should be made at least every five years. In the interim, fees will be adjusted by annual cost factors reflected in the appropriate program's operating budget.</p>
<p>Process of establishing service fee cost recovery levels</p> <p>The City of Menlo Park provides services and infrastructure that contribute to quality-of-life for all Menlo Park residents. In so doing, the City strives to balance the resources and requirements of each area of the city in an equitable manner for all residents, in all neighborhoods of the City. The City of Menlo Park prioritizes social justice in decisions that affect residents' lives: the fair, just and equitable management of all institutions serving the public directly or by contract; the fair, just and equitable distribution of public services and implementation of public policy; and the commitment to promote fairness, justice, and equity in the formation of public policy.</p> <p>The following factors will be considered when setting service fees and cost recovery levels</p> <ol style="list-style-type: none"> 1. Community-wide vs. special benefit <ul style="list-style-type: none"> • The use of general purpose revenue is appropriate for community-wide services while user fees are appropriate for services that are of special benefit to individuals or groups. Full cost recovery is not always appropriate. 2. Service Recipient Versus Service Driver <ul style="list-style-type: none"> • Particularly for services associated with regulated activities (development review, code enforcement), from which the community primarily benefits, cost recovery from the "driver" of the need for the service (applicant, violator) is appropriate. 3. Consistency with City public policies and objectives <ul style="list-style-type: none"> • City policies and Council goals focused on long term improvements to community quality of life may also impact desired fee levels as fees can be used to change community behaviors, promote certain

- activities or provide funding for pursuit of specific community goals, for example: health and wellness, environmental stewardship.
4. Impact on demand (elasticity)
 - Pricing of services can significantly impact demand. At full cost recovery, for example, the City is providing services for which there is a genuine market not over-stimulated by artificially low prices. Conversely, high cost recovery may negatively impact lower income groups and this can work against public policy outcomes if the services are specifically designed to serve particular groups.
 5. Discounted Rates and Surcharges
 - Rates may be discounted to accommodate lower income groups or groups who are the target of the service, such as senior citizens or residents.
 - Higher rates are considered appropriate for non-residents to further reduce general fund subsidization of services.
 6. Feasibility of Collection
 - It may be impractical or too costly to establish a system to appropriately identify and charge each user for the specific services received. The method of assessing and collecting fees should be as simple as possible in order to reduce the administrative cost of collection.

Target cost recovery levels

1. Low cost recovery levels (0%-30%) are appropriate if:
 - There is no intended relationship between the amount paid and the benefit received
 - Collecting fees is not cost-effective
 - There is no intent to limit use of the service
 - The service is non-recurring
 - Collecting fees would discourage compliance with regulatory requirements
 - The public at large benefits even if they are not the direct users of the service
 2. High cost recovery levels (70%-100%) are appropriate if:
 - The individual user or participant receives the benefit of the service
 - Other private or public sector alternatives could or do provide the service
 - For equity or demand management purposes, it is intended that there be a direct relationship between the amount paid and the level and cost of the service received
 - The use of the service is specifically discouraged
 - The service is regulatory in nature
 3. Services having factors associated with both cost recovery levels would be subsidized at a mid-level of cost recovery (30% - 70%).
- General categories of services tend to fall logically into the three levels of cost recovery above and can be classified according to the factors favoring those classifications for consistent and appropriate fees. Primary categories of services include:
- Social Services and Recreation Programs
 - Development Review Programs – Planning, and Building
 - Public Works Department – Engineering, Transportation, and Maintenance
 - Public Safety

Social Services and Recreation Programs

Master Fee Schedule Page #'s	General categorization of programs, Services, Activity, and facilities	Low-cost recovery (0-30%)	Mid-cost recovery (30-70%)	High-cost recovery (70-100%)
Parks				
Page-9	Dog Parks	X		
Page-9	Skate Parks	X		
Page-9	Open Space/Parks	X		
Page-9	Playgrounds	X		
Social Services				

	Senior Transportation	X		
Page-7	Senior Classes/ Events	X		
Page-11	Belle Haven School Age—Title 22		X	
Page-10	Menlo Children's Center—Title 22			X
Master Fee Schedule Page #'s	General categorization of programs, Services, Activity, and facilities	Low-cost recovery (0-30%)	Mid-cost recovery (30-70%)	High-cost recovery (70-100%)
Social Services—continued				
Page-11	Preschool — Title 22			X
Page-11	Preschool — Title 5		X	
Page-7	Second Harvest	X		
Page-7	Congregate Nutrition		X	
Page-11	Belle Haven Community School		X	
Events/Celebrations				
	City-Sponsored	X		
	City-Wide	X		
	Youth & Teen Targeted	X		
	Cultural	X		
	Concerts	X		
Facility Usage				
	City Functions (e.g. commissions)	X		
	Co-Sponsored Organizations	X		
Page-5,6,7	Non-Profit	X		
Page-9	Fields—Youth (non-profit)		X	
Page-9	Fields—Adult (non-profit)		X	
Page-9	Tennis Courts		X	
Page-10	Picnic Rentals— Private Party			X
Page-5,6,7	Private Rentals			X
Page-9	Fields—for-profit			X
Page-5,6,7,8,9,10	Contracted Venues —for-profit			X
Fee-Assisted Programs				
Page-8	Recreational Swim	X		
Page-8	Swimming Classes	X		

Page 8	Lap Swimming	X		
Page 7	Recreation Classes	X		
Page 11	Open Gym Activities	X		

Master Fee Schedule Page #'s	General categorization of programs, Services, Activity, and facilities	Low-cost recovery (0-30%)	Mid-cost recovery (30-70%)	High-cost recovery (70-100%)
Recreation Programs				
Page 11	Drop-In Activities		X	
Page 10,11	Camps & Clinics			X
Page 9	Youth Leagues			X
Page 10	Youth Special Interest			X
Page 10	Adult Special Interest			X
Page 12	Gymnastics			X
Page 6,12	Birthday Parties			X
Page 11	Adult League			X

Low Recovery Expectations

Low Recovery Expectations

Low to zero recovery is expected for programs in this category as the community benefits from the service. Non-resident fees if allowed may provide medium cost recovery.

In general, low cost programs or activities in this group provide a community wide benefit. These programs and activities are generally youth programs or activities enhancing the health, safety and livability of the community and therefore require the removal of a cost barrier for optimum participation. Recreation programming geared toward the needs of teens, youth, seniors, persons with disabilities, and/or those with limited opportunities for recreation are included. For example:

- Parks – As long as collecting fees at City parks is not cost-effective, there should be no fees collected for general use of parks and playgrounds. Costs associated with maintaining the City’s parks represent a large cost for which there is no significant opportunity for recovery – these facilities are public domains and are an essential service of City government.
- Social Services – There is no intended relationship between the amount paid and the benefit received for social service programs. Some programs are designed and delivered in coordination/partnership with other providers in Menlo Park.
- Senior Transportation – Transportation is classified as a low cost recovery program because there is no fee charged for the program and the majority of the seniors served cannot afford the actual cost of the service. Donations are solicited, but they are minimal. No fee should be established for this service, as it would threaten ridership and County reimbursements would be withdrawn.
- Senior Classes/Events – The primary purpose of senior classes and events is to encourage participation. The seniors served in these classes do not have the means of paying for the classes and are classified as “scholarship” recipients due to their low income levels. The classes should continue to be offered in collaboration with outside agencies which can offer them for free through state subsidies.
- Second Harvest – Monthly food distributions provide free food to needy families and so contribute a broad community benefit. The coordination and operation of the program is through the Onetta Harris Center staff with volunteers assisting with the distribution of food, to keep costs as low as possible.
- Events/Celebrations – Community Services events provide opportunities for neighborhoods to come together as a community and integrate people of various ages, economic and cultural backgrounds. Events also foster pride in the community and provide opportunities for volunteers to give back. As such, the benefits are community-wide. In addition, collection of fees isn’t always cost effective.
- Facility Usage – Safe and secure facilities for neighborhood problem-solving and provision of other general services support an engaged community and should be encouraged with low or no fees.
- Fee Assisted Recreation Programs – Activities with fee assistance or sliding scales make the programs affordable to all economic levels in the community. Organized activities, classes, and drop-in programs are designed to encourage active living, teach essential life and safety skills and promote life-long learning for broad community benefit.

Medium Recovery Expectation

Medium Recovery Expectations

Recovery of most program costs incurred in the delivery of the service, but without recovery of any of the costs which would have been incurred by the department without the service. Both community and individuals benefit from these services. Non-resident fees if allowed may provide high cost recovery.

- Belle Haven School Age – Title 22 - Licensed Child Care Program – Services to participants in this program are not readily available elsewhere in the community at low cost. The program provides broad community benefit in the form of a safety net for children in the community. Organized activities and programs teach basic skills, constructive use of time, boundaries and expectations, commitment to learning and social competency. Resident fees charged based on San Mateo County Pilot program for full day care that sets fees at no more than 10% of the family’s gross income.
- Preschool Title 5 – The Preschool Program is supported primarily by reimbursement of federal and state grants for low income children. Tuition and reimbursement rates are regulatory.
- Senior Lunches – Congregate Nutrition is classified as a medium cost recovery fee as it asks a donation coupled with a per meal reimbursement from OAA & State funds.
- Belle Haven School Community School – The Community School partners with various non-profit and community-based agencies to provide much needed services to the community – high quality instruction, youth enrichment services, after-school programs, early learning and a family center. Services are open to Belle Haven students, their families and residents of the surrounding neighborhood.
- Field Rentals and Tennis Courts – Costs should be kept low for local non-profit organizations providing sports leagues open to residents and children in the Menlo Park Schools that encourage healthy lifestyles and lifelong fitness. Opportunities exist to collect a reasonable fee for use to defray citywide expenses for tennis facilities and fields.
- Programs – Drop-in programs can be accessed by the widest cross section of the population and therefore have the potential for broad-base participation. Recreation drop-in programs have minimal supervision while providing healthy outlets for youth, teens and adults

High Recovery Expectations

High Recovery Expectations

Present when user fees charged are sufficient to support direct program costs plus up to 100% of department administration and city overhead associated with the activity. Individual benefit foremost and minimal community benefit exists. Activities promote the full utilization of parks and recreation facilities.

- Menlo Children’s Center School Age and Pre-school – Title 22 – Participation benefits the individual user.
- Picnic Areas – Picnic rental reservations benefit the individual but help defray the cost of maintaining parks benefiting the entire community.
- Facility Usage – Facility use is set at a higher rate for the private use of the public facility for meetings, parties, and programs charging fees for services and celebrations.
- Programs – Activities in this area benefit the individual user. Programs, classes, and sports leagues are often offered to keep pace with current recreational trends and provide the opportunity to learn new skills, improve health, and develop social competency. The services are made available to maximize the use of the facilities, increase the variety of offerings to the community as a whole and spread department administration and city-wide overhead costs to many activities. In some instances, offering these activities helps defray expenses of services with no viable means of collecting revenue e.g. parks, playgrounds, etc.
- Contracted Venues – (for profit) – Long term arrangements where a facility is rented or contracted out to reduce general funding expense in order to provide specialized services to residents.

Development Review Services

1. Planning (planned development permits, tentative tract and parcel maps, re-zonings, general plan amendments, variances, use permits)
2. Building and safety (building permits, structural plan checks, inspections)

Master's Fee Schedule Page #'s	General categorization of programs, Services, Activity, and facilities	Low-cost recovery (0-30%)	Mid-cost recovery (30-70%)	High-cost recovery (70-100%)
Planning				
Page 24	Appeals of Staff Decisions	X		
Page 24	Appeals of Planning Commission Decisions by Residents	X		
	Subsequent Appeals			X
Page 24	Temporary Sign Permits	X		
Page 23	Use Permits— Non-Profits	X		
Page 24	Administrative Reviews—Fences		X	
	Appeals of Planning Commission Decisions by Non-Residents			X
Page 23	Administrative Reviews—Other			X
Page 23	Architectural Control			X
Page 23	Development Permits			X
Page 23	Environmental Reviews			X
Page 23	General Plan Amendments			X
Page 24	Tentative Maps			X
Page 24	Miscellaneous— not listed elsewhere			X
	Reviews by Community Development Director of Planning Commission			X
Page 23	Special Events Permitting			X
Page 23	Study Sessions			X

Master's Fee Schedule Page #'s	General categorization of programs, Services, Activity, and facilities	Low-cost recovery (0-30%)	Mid-cost recovery (30-70%)	High-cost recovery (70-100%)
Planning—continued				
Page 24	Zoning Compliance Letters			X
Page 23	Signs and Awnings			X
Page 23	Use Permits—other			X
Page 23	Variances			X
Page 23	Zoning Map Ordinance Amendments			X
Building and safety				
Page 28-48	Solar Installations		X	
	Building Permits			X
	Mechanical Permits			X
	Electrical Permits			X
	Plumbing Permits			X
	Consultant Review			X
Low Recovery Expectations				
<p>Low Recovery Expectations</p> <p>Low to zero recovery is expected for services in this category to maintain open and accessible government processes for the public, encourage environmental sustainability and encourage compliance with regulatory requirements. Example of Low Recovery items:</p> <ul style="list-style-type: none"> • Planning – The fees for applicants who wish to appeal a Staff Decision or for a Menlo Park resident or neighbor from an immediately adjacent jurisdiction who wishes to appeal a decision of the Planning Commission is purposefully low to allow for accessibility to government processes. • Planning – Temporary sign permit fees are low so as to encourage compliance. • Building – The elimination or reduction of building permits for solar array installations is consistent with California Government Code Section 65850.5, which calls on local agencies to encourage the installation of solar energy systems by removing obstacles to, and minimizing costs of, permitting for such systems. 				
Mid-level Recovery Expectations				
<p>Medium Recovery Expectations</p> <p>Recovery in the range of 30% to 70% of the costs incurred in the delivery of the service reflects the private benefit that is received while not discouraging compliance with the regulation requirements.</p> <ul style="list-style-type: none"> • Planning – Administrative permits for fences that exceed the height requirements along Santa Cruz Avenue are set at mid-level to encourage compliance. 				

High Recovery Expectations

High Recovery Expectations

Cost recovery for most development review services should generally be high. In most instances, the City’s cost recovery goal should be 100%.

- Planning – Subsequent Appeals - The fees for applicants who are dissatisfied with the results of a previous appeal of an administrative permit or a decision of the Planning Commission should be at 100% cost recovery.
- Planning – Most of the Planning fees charged are based on a “time and materials” basis, with the applicant/customer being billed for staff time (at a rate that includes overhead cost allocations) and the cost of actual materials or external services utilized in the delivery of the service.
- Building – Building fees use a cost-basis, not a valuation basis, and are flat fees based on the size and quantities of the project.

Public Works Department – Engineering Transportation, and Maintenance

1. Engineering and Transportation (public improvement plan checks, inspections, subdivision requirements, encroachments)
2. Transportation (red curb installation, truck route permits, traffic signal repairs from accidents)
3. Maintenance (street barricades, banners, trees, special event set-up, damaged city property)

Master-Fee Schedule-Page #'s	General categorization of programs, Services, Activity, and facilities	Low-cost recovery (0-30%)	Mid-cost recovery (30-70%)	High-cost recovery (70-100%)
Engineering				
Page-25	Heritage Tree	X		
Page-25	Appeals to Environmental	X		
	Appeals to Environmental Quality Commission and City Council	X		
	Bid Packages	X		
Page-19	Plotter Prints		X	
Page-19	Encroachment Permits for City-mandated repair work (non-temporary)		X	
Page-25	Heritage Tree Removal Permits 1-3 trees		X	
Page-19	City Standard Details		X	
Page-20	Improvement Plan			X
Page-20	Plan Revisions			
Page-21	Construction Inspections			X
Page-20	Maps/ Subdivisions			X
	Real Property			X
Page-19	Abandonments			X
Page-19	Annexations			X

Page-21	Certificates of Compliance			X
Master Fee Schedule Page #'s	General categorization of programs, Services, Activity, and facilities	Low-cost recovery (0-30%)	Mid-cost recovery (30-70%)	High-cost recovery (70-100%)
Engineering—continued				
Page-20	Easement Dedications			X
Page-20	Lot Line Adjust/Merger			X
Page-19	Encroachment Permits			X
Page-19	Completion Bond			X
	Processing Fee			X
Page-25	Heritage Tree Permits after first 3 trees			X
Page-16	Downtown Parking Permits			X
Transportation				
Page-22	Red Curb Installation	X		
Page-22	Truck Route Permits	X		
Page-22	Traffic Signal Accident			X
Page-22	Aerial Photos			X
Maintenance				
Page-22	Tree Planting	X		
Page-22	Banners—Santa Cruz Avenue			X
Page-22	Barricade replacement			X
Page-22	Weed Abatement			X
Page-22	Special Event set-up— for profit use			X
Page-22	Special Event set-up— for non-profits use		X	
Page-22	Damaged City property			X

Low Recovery Expectations

Low Recovery Expectations

Low to zero recovery is expected for services in this category as the community benefits from the service. In general, low cost services in this group provide a community-wide benefit. These services generally are intended to enhance or maintain the livability of the community and therefore require the removal of a cost barrier to encourage use. However, in some instances the maximum fee that can be charged is regulated at the State or Federal level and therefore the City fee is not determined by City costs (truck route permits, copies of documents). Examples of Low Recovery items:

- Maintenance – Tree Plantings is classified as a low cost recovery fee to replacement of trees removed due to poor health and to encourage new tree plantings.
- Transportation – Red Curb Installation is classified as a low cost recovery fee for support traffic/parking mitigation requests to address safety concerns of residents and businesses.
- Transportation – Truck Route Permits Fees – maximum fee set by State Law.
- Engineering – Heritage Tree Appeals is classified as a low cost recovery fee to insure that legitimate grievances are not suppressed by high fees.
- Engineering – Bid Packages are provided at a low cost to encourage bid submissions thereby insuring that the City receives sufficient bids to obtain the best value for the project to be undertaken.

Medium Recovery Expectations

Medium Recovery Expectations

Recovery in the range of 30% to 70% of the costs incurred in the delivery of the service. Typically, both the community and individuals benefit from these services.

- Engineering – Encroachment Permits for City-mandated repairs are classified as a medium cost recovery. Since the property owner is paying for the cost of construction but is required by ordinance to perform it promptly, a discounted fee for the permit is appropriate.

High Recovery Expectations

High Recovery Expectations

Recovery in the range of 70% to 100% when user fees charged are sufficient to fully recover costs of providing the service. Individual benefit is foremost and minimal community benefit exists. Most services provided by the Public Works Department fall in this area.

- Engineering – Encroachment Permits where the public right of way is used or impacted on a temporary or permanent basis for the benefit of the permittee. Debris Boxes are such an example
- Transportation – Traffic Signal Accident repair cost is the responsibility of the driver/insurer.
- Maintenance – Weed Abatement performed by Public Works staff to address ongoing code violation.
- Maintenance – Banners on Santa Cruz Avenue and El Camino Real.

Public Safety – Police Services

(Case Copies, False Alarms, Parking Permits, Abatements, Emergency Response, Background Investigations, Tow Contract)

Master Fee Schedule Page #'s	General categorization of programs, Services, Activity, and facilities	Low-cost recovery (0-30%)	Mid-cost recovery (30-70%)	High-cost recovery (70-100%)
Page 14	Case Copies	X		
Page 15	Citation Sign-Off-Residents	X		
Page 1,15	Document Copies	X		
Page 14	Bicycle Licenses	X		
Page 16	Overnight Parking Permits			X
Page 16	Residential Parking Permits	X		
Page 15	Property Inspection—Code Enforcement	X		
Page 15	Real Estate Sign Retrieval	X		
Page 14	False Alarm—Low Risk		X	
Page 15	Rotation Tow Service Contract		X	
Page 15	Repossession Fee		X	
Page 14	False Alarm—High Risk			X
Page 14	Good Conduct Letter			X
Page 14	Preparation Fees			X
Page 14	Research Fee			X
Page 14	Civil Subpoena Appearance			X
Page 14	Finger-Printing Documents			X
Page 15	Background Investigations			X
Page 14	Notary Services			X
Page 14	Vehicle Releases			X
Page 14	DUI—Emergency Response			X
Page 15	Intoximeter Rental			X
Page 15	Street Closure			X
Page 15	Unruly Gatherings			X
Page 18	Abatement			X

<u>Low Recovery Expectations</u>		
<u>Low Recovery Expectations</u> Low to zero recovery is expected for services in this category as the community generally benefits from the regulation of the activity. The regulation of these activities is intended to enhance or maintain the livability of the community. However, in some instances the maximum fee that can be charged is regulated at the State or Federal level and therefore the City fee is not determined by City costs (copies of documents).		
<u>Medium Recovery Expectations</u>		
<u>Medium Recovery Expectations</u> Recovery in the range of 30% to 70% of the costs of providing the service. Both community and individuals benefit from these services. <ul style="list-style-type: none"> False Alarm – primarily residential and low cash volume retail. Alarm response provide a disincentive to crime activity. However excessive false alarms negatively impact the ability of prompt police response to legitimate alarms. 		
<u>High Recovery Expectations</u>		
<u>High Recovery Expectations</u> Recovery in the range of 70% to 100% when user fees charged are sufficient to recover costs of the service provided. Individual benefit is foremost and minimal community benefit exists. Items such as False Alarm, DUI Emergency Response, Vehicle Releases, Unruly Gathering, and Abatements are punitive in nature and the costs should not be funded by the community. Items such as Good Conduct Letter, Preparation Fees, Research Fee, Finger Printing, Background Investigations, and Notary Service primarily benefit the individual. 100% of the cost for services in these areas is typical. <ul style="list-style-type: none"> Overnight Parking Permits – the fee charged for One Night Parking Permits fall into Low Cost Recovery, however when combined with the fees collected from the issuance of Annual Permits the result is the program should achieve High Cost Recovery. Street Closure – primarily residential for activities within a defined area. This service is provided for public safety and therefore is provided at a rate below 100% cost recovery. 		
Library		
(Library Cards, Overdue Fines , etc.) – fees are primarily established by the Peninsula Library Service. <u>No overdue fines will be charged.</u>		
Administrative Services		
(Copying Charges, Postage, etc.) – fees are primarily set by regulations and are generally high cost recovery of pass-thru charges.		
<u>Procedure history</u>		
<u>Action</u>	<u>Date</u>	<u>Notes</u>
<u>Procedure adoption</u>	<u>March 9, 2010</u>	
<u>Procedure update</u>	<u>March 9, 2021 (Proposed)</u>	



To: JPA Governing Board
From: Anne-Marie Despain, Director of Library Services
Nicole Pasini, Deputy Director of Library Services
Date: September 12, 2018
Meeting: September 17, 2018
Re: Recommendation for Fine-Free Policy

Background

Libraries have historically charged fines for the late return of materials in an effort to incentivize timely return of materials and to raise revenue. Currently, San Mateo County Libraries fines for materials for adult patrons are assessed at \$0.25 per day, limited to a maximum late charge of \$8 per item, or the equivalent of 32 days late. When patron accounts owe more than \$15, the patron is blocked from checking out library materials.

In July 2016, San Mateo County Libraries introduced fine-free library cards for children and teens, and the first year brought great results. Children's circulation increased by 28% in the first year and another 18% in the second year, and registration for new library cards increased by 70% in year one and 12% in year two. Building on the success of fine-free youth cards and recognizing that late fines can be a significant barrier to library access particularly among individuals with low or fixed incomes or who have transportation issues, the Library implemented fine-free library cards for seniors age 62 and older beginning in January 2018. Currently, we have 20,000 patrons registered for senior cards and have seen an 8% increase in circulation in the first six months of the program.

Many public libraries across the nation are increasingly eliminating overdue fines in recognition that fines serve no positive purpose, instead acting as a significant and inequitable barrier to service. There is an increasing body of research and direct experience that supports the elimination of fines. Libraries that have moved to a more customer-focused policy have reported these key findings:

- Fines negatively impact library use, particularly by lower income people.
- Fines do not effectively incentivize on-time return of materials.
- Fine revenue is less than the cost of the staff time to collect fines.
- Elimination of fines results in higher use, increased customer satisfaction and improved staff morale.

These findings and the recent success of our fine-free youth and senior cards lead the Library to recommend the elimination of fines for late return of material.

Discussion

Unequal Impact

Our patrons are not unique in the unequal impact of fines on low-income communities. Both the Berkeley Public Library and Baltimore's Enoch Pratt Free Library reported that, prior to eliminating late fines, the majority of the residents blocked from using the library were from the poorest neighborhoods in their cities. Colorado State Library issued a White Paper in 2016 entitled, *Removing Barriers To Access*, that explored the impact of fines and fees on access to library services for children. This comprehensive study concluded that fines are punitive, not educational incentives, and the threat of accumulating fines for overdue materials is keeping low-income families away from libraries, or from checking out items to take home. Additionally, based on the research, fine-free policies are more user-friendly and will bring more community members into the library, especially low-income populations who need library services the most.

Late fines are a regressive penalty that more negatively impact lower income communities. 19% of East Palo Alto patrons and 13% of Bookmobile patrons, who largely live in unincorporated areas, had blocked accounts for fines above \$15, which exceed the 8% overall average for San Mateo County Libraries. Additionally, it is notable that in the last fiscal year, patrons from the East Palo Alto Library, Half Moon Bay Library and Bookmobile accounted for less than 11% of our circulation but accounted for approximately 45% of total money owed.

Incentivizing Returns

Library fines have not proven to be an effective deterrent to returning items late. In Columbus, Ohio, the library board eliminated overdue fines starting on January 1, 2017, when their data showed that fines did nothing to encourage the timely return of materials. The Colorado study agrees, finding that the profession has little empirical evidence that charging fines results in greater circulation of library materials or the return of items in a timely manner. Conversely, Vermont's Milton Public Library found that after doing away with fines, more people returned books on time and Illinois' Vernon Area Public Library noted that the average number of days items are overdue dropped 42 percent after eliminating fines. Six months after fines were eliminated at Colorado's High Plains Library District, 95% of materials were returned within a week of the due date.

Behavioral Economist Uri Gneezy at the University of California, San Diego, found that library fines are too small to be an effective deterrent, and without money in the mix, readers would be more likely to return books on time because they would feel it's the right thing to do. The vast majority of our patrons already return library materials in a timely manner. In a snapshot of our cardholders in July 2018, 74% of patrons owed no fines.

Revenue or Cost

Library material fees and fines are not a significant revenue source for San Mateo County Libraries and are declining with the increasing use of digital materials, and implementation of automatic renewals and fine-free youth and senior cards. Revenue from this source in FY 2017-18 was \$189,446, amounting to only 0.6% of total revenue. Current revenue estimates included in this year's budget are \$99,000. Even if fines are eliminated,

we would still maintain our current practice of billing patrons for lost or damaged items that are not returned 30 days after the due date and removing the bill from the patron's account when the items are returned.

Revenue attributed to overdue fines is small, but the staff time involved in collecting and depositing small amounts of fines is significant for libraries. San Rafael Public Library analyzed fine transactions and determined that each transaction requires approximately ten minutes of staff time when factoring in all the collecting, tracking and accounting of overdue fines. San Diego Public Library eliminated late fees in April after finding that it costs \$1,000,000 in staff time to collect an average of \$700,000 in fees each year. The Colorado study concluded that the administrative costs, including equipment and staff time, often equal or exceed the revenue earned from library fines and fees. San Mateo County Libraries have a strong history of maximizing and aligning staff resources towards high-impact, meaningful work that positively engages our community and promotes library resources and facilities; time spent collecting fines is not in alignment with these values.

Return on Investment

The return on investment for eliminating fines is high. Like San Mateo County Libraries, the Salt Lake City Public Library reported that when they eliminated fines, the library lost less than 1% of its budget in exchange for significant increases in use, including an 11% increase in circulation, an 11% increase in borrowers and a 4% increase in new card registrations. Every library contacted that eliminated late fines reported overwhelmingly positive responses from patrons, and most reported that people who stopped using the library for financial reasons returned.

Conclusion

Ample research suggests that fines do not serve their intended purpose of promoting the timely return of materials and instead create significant barriers to library access. Evidence also suggests that the small loss in revenue will most likely be offset by staff savings associated with the management of late fees, and would result in significant increases in library use, customer and staff satisfaction, and benefit to the community. Late fines are in opposition to our strategic goals of ensuring equitable access, creating welcoming experiences, and growing a culture of learning and participation. Based on the evidence and our mission and values, a new fine-free policy is recommended.

Fiscal Impact

Revenue from fines, fees and material replacement payments are currently estimated at \$99,000. A decrease of \$75,000 is included in the FY 2018-19 Final Adopted Budget to account for recent customer service enhancements and this recommended policy change.

Recommendation


Recommend JPA Library Governing Board direct staff to create a policy for approval that eliminates overdue fines for late return of library materials. Operations Committee members present at the September 11, 2018, meeting concurred with this recommendation.

Revenues. All recreation / community services programs

Program area	2018-19 audited actuals (\$ thousands)					2019-20 audited actuals (\$ thousands)				
	Revenues	Expenditures	Net General Fund subsidy/(surplus)	Cost Recovery Percent		Revenues	Expenditures	Net General Fund subsidy/(surplus)	Cost Recovery Percent	
Pre-School Childcare	2,446	2,950	504	82.9%		2,422	2,906	483	83.4%	
School-Age Childcare	533	761	228	70.0%		377	790	412	47.8%	
Gymnastics	1,257	1,167	(90)	107.8%		961	1,138	177	84.4%	
Contract Classes	715	968	253	73.9%		497	886	388	56.2%	
Seniors	367	623	256	58.9%		99	708	609	14.0%	
Youth Sports	527	536	8	98.5%		305	476	170	64.2%	
Adult Sports	178	352	174	50.5%		191	294	103	65.0%	
Neighborhood Services	109	591	483	18.4%		62	490	428	12.6%	
Aquatics	85	663	578	12.8%		85	575	490	14.7%	
Events & Concerts	59	479	419	12.4%		28	389	361	7.2%	
Community Facilities Services	362	295	(68)	122.9%		262	323	61	81.2%	
Total	6,639	9,385	2,746	70.7%		5,290	8,974	3,684	59.0%	

Revenues. Recreation programs for ages 0-5 years. FY 2018-19			
Location	Gross revenues (user fees)	Instructor payments	Net revenues
ARC	47,147	25,925	21,222
Gymnasium	188,878	109,010	79,867
OHCC	2,774	75	2,699
Total	238,798	135,011	103,788

Revenues. Library overdue fines	
Fiscal year	Revenues
2020-21 Budget	42,000
2019-20 Estimated actuals	42,000
2019-20 Adopted	42,000
2018-19 Actual	40,538
2017-18 Actual	63,846
2016-17 Actual	61,801
2015-16 Actual	59,171
2014-15 Actual	83,732
2013-14 Actual	101,307
2012-13 Actual	101,892



**COST RECOVERY POLICY - EQUITY STATEMENT, LIBRARY
OVERDUE FINES, RECREATION USER FEES**

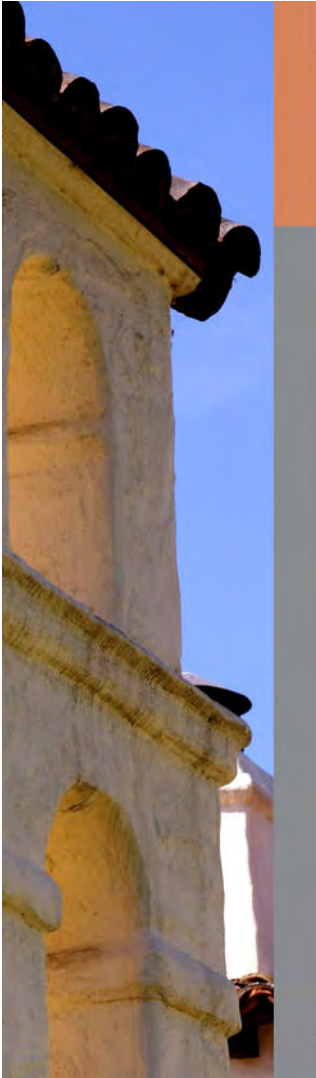
City Council Meeting – March 9, 2020





RECOMMENDATIONS

- Amend the cost recovery policy to include new equity statement
- Eliminate library overdue fines
- Pilot: Citywide need-based recreation program scholarships
- Pilot: Suspend resident user fees for children ages 0-5 in music, dance, movement, and intro to sports
- Pilot: “Recreation Rx” – health and wellness “prescription” recreation passes for at-risk residents
- Pilot program details would be developed and presented for City Council approval in context of FY 2021-22 budget deliberations



PROPOSED EQUITY STATEMENT

The City of Menlo Park provides services and infrastructure that contribute to quality-of-life for all Menlo Park residents. In so doing, the City strives to balance the resources and requirements of each area of the city in an equitable manner for all residents, in all neighborhoods of the City.

The City of Menlo Park prioritizes social justice in decisions that affect residents' lives: the fair, just and equitable management of all institutions serving the public directly or by contract; the fair, just and equitable distribution of public services and implementation of public policy; and the commitment to promote fairness, justice, and equity in the formation of public policy.



LIBRARY OVERDUE FINES



- Multiple Bay Area library jurisdictions have eliminated library overdue fines
- Studies show that overdue fines disproportionately impact low-income residents and communities of color
- Administrative and staffing costs to track and collect fines exceed the value of the fines collected
- Projected library overdue fines revenue in FY 2020-21: \$42,000
- Master fee schedule update: April 13



NEED-BASED SCHOLARSHIPS



- Current need-based scholarship/ fee assistance programs
 - One-to-One Scholarship: Fee waivers, subsidies – 58 participants
 - Gymnastics: Reduced hourly rate – 15 participants
 - Aquatics: Youth swim lessons – 271 participants

- Pilot: Citywide recreation scholarships for income-qualified residents
 - Would reduce financial barriers to access
 - 75% fee reduction for residents who show proof of other public assistance
 - Nominal participation fee of 25%; can also be waived if desired by City Council
 - Qualified participants receive up to one class or activity per season
 - Maximum annual scholarship value \$250/individual or \$500/family
 - City Council can set different limits if desired



USER FEES – RECREATION PROGRAMS FOR CHILDREN 0-5 YEARS



- Pilot: Suspend resident user fees for recreation programs targeted to children ages 0-5 years
 - Would eliminate barriers to participation based on financial status
 - Similar precedent: Free public library programs – storytime, arts/crafts, language
 - Target population: Menlo Park resident children ages 0-5 years
 - Program focus: Music, dance, movement, intro to sports
 - Current approximate annual revenues: \$238,000 gross (user fees); \$103,000 net (after instructor payments)
 - Would not apply to childcare, summer camps or gymnastics which require higher levels of care and investment and are placed higher in the cost recovery policy.



RECREATION RX – HEALTH & WELLNESS PASSES



- Pilot: “Recreation prescriptions” in the form of passes to city programs focused on health and wellness
 - Would promote and facilitate wellness for residents in at-risk communities
 - Local nonprofit health provider could “prescribe” health and wellness programs to eligible patients
 - Passes would be redeemable for participation in city health and wellness programs.



RECOMMENDATIONS

- Amend the cost recovery policy to include new equity statement
- Eliminate library overdue fines
- Pilot: Citywide need-based recreation program scholarships
- Pilot: Suspend resident user fees for children ages 0-5 in music, dance, movement, and intro to sports
- Pilot: “Recreation Rx” – health and wellness “prescription” recreation passes for at-risk residents
- Pilot program details would be developed and presented for City Council approval in context of FY 2021-22 budget deliberations



STAFF REPORT

City Council

Meeting Date:

4/6/2021

Staff Report Number:

21-069-CC

Regular Business:

Approve criteria to guide facility reopening, service restoration, and reactivation of programs and events

Recommendation

City staff recommends that the City Council approve criteria to guide facility reopening, service restoration, and reactivation of programs and events. With the approved criteria, City staff will present a more detailed discussion of facility reopening, service restoration, and reactivation of programs and events, at City Council's April 13 and 27 meetings.

Policy Issues

City Council sets policy and goals and provides direction to staff regarding municipal services to the Menlo Park community; allocates resources to support and maintain city facilities and operations and provide services to residents; and ratifies and/or rescinds local emergency orders.

Background

Most city-owned facilities have remained closed to indoor public access since March 12, 2020. This precaution was and continues to be necessary to protect public health by minimizing opportunities for congregation, both public and employee. The development, manufacture, and distribution of multiple highly effective vaccines suggests that the threat of an overloaded local acute and intensive hospital care will soon pass. This raises the prospect of safely reopening city facilities to indoor public access in the foreseeable future. The necessary preparations will require significant investments of time and resources during a period when the organization's financial and personnel resources are extraordinarily limited.

Analysis

Exactly when the COVID-19 virus will be fully brought under control is subject to multiple factors and remains uncertain. That said, recent significant progress in the area of vaccine development and production gives reason to believe that the virus could be mostly suppressed in the United States by the end of calendar year 2021. Eligibility for vaccines has expanded dramatically in accordance with the federal directive to states to make all adults ages 16 years and older eligible for vaccination by May 1 and the State of California's announcement of eligibility to all adults ages 16 and older April 15, however the supply of vaccine doses and the pace of actual vaccinations are expected to lag behind the eligibility dates by several weeks, according to public health experts, vaccine manufacturers and health care providers.

Infectious disease experts have indicated that the tipping point in the nation's fight against the virus will be when 70 percent of the populace has been vaccinated against COVID-19, a milestone that experts anticipate could be achieved by the end of this calendar year, and possibly months earlier. According to the

Centers for Disease Control, persons who have previously contracted COVID-19 should still be vaccinated because experts do not yet know how long one is protected from getting sick again after recovering from COVID-19.

Vaccination rates as criteria to safely reopen city-owned facilities to indoor public access

The federal government announced February 11 that enough doses to vaccinate 300 million Americans – every adult – will be manufactured by the end of May. Factoring in the time it will take to deliver such a massive number of vaccines to distribution points nationwide, and then to actually administer the vaccine doses into hundreds of millions of individual people’s arms, and at sufficient rates to fully inoculate 70 percent or more of the populace, most public health experts indicate that the virus potentially could be suppressed by the end of the calendar year nationally, and possibly months earlier in San Mateo County.

Safety is a driving factor and a vital consideration in decision-making related to indoor public access to city-owned facilities during a public health emergency of this scale. Widespread vaccinations of 70 percent or more of the populace, so-called “herd immunity,” is seen by public health experts as the best and most durable life-saving defense against the virus for all members of the community regardless of individual ability, age, wealth, health or demographics. For these reasons, it would be prudent to consider the local vaccination rate, and specifically the 70 percent vaccination milestone, as a key criterion for indicating when city-owned facilities can begin to safely reopen for indoor access—both for members of the public and employees.

Under these proposed criteria, all four of the following conditions would need to exist in order for city-owned facilities to begin to safely reopen for indoor public access. Current data and progress in these four areas indicate that these criteria are on track to be achieved by the end of the calendar year nationally, and possibly months earlier in San Mateo County. As Menlo Park is situated in close proximity to other Bay Area counties between which residents travel freely and often, those counties’ vaccination progress also is taken into account.

1. Vaccine eligibility and availability. Vaccine eligibility in San Mateo, Santa Clara, Contra Costa, Alameda, and San Francisco counties has reached Phase 2 – All members of the general public ages 16 and older are eligible to receive a COVID-19 vaccine, and sufficient doses are timely available to the general populace
2. Vaccination rates. Seventy percent or more of San Mateo, Santa Clara, Contra Costa, Alameda, and San Francisco counties residents ages 16 and older have completed the COVID-19 vaccine series
3. Health orders and restrictions. No state and/or local health orders or restrictions are in effect (i.e., state “color tiers,” local emergency orders) that would otherwise prohibit the facilities from reopening to public access
4. Organizational capacity readiness. Sufficient capacity and readiness of City of Menlo Park facilities, resources, and staffing are in place to accommodate successful reopening to indoor public access. City staff estimates an eight-week lead time from decision to reopen city facilities to actual reopening. Staff recommends that the planning for reopening be triggered by 50% fully vaccination rates in San Mateo, Santa Clara, Contra Costa, Alameda and San Francisco counties.

By implementing the above criteria, staff and the general public will have a clear, simple, predictive tool to set expectations and prepare for the timely and safe reopening of city facilities to indoor public access.

What follows is an overview of the vaccination data sources that will help guide the reopening of city facilities and programs or services, in combination with the other relevant criteria noted above.

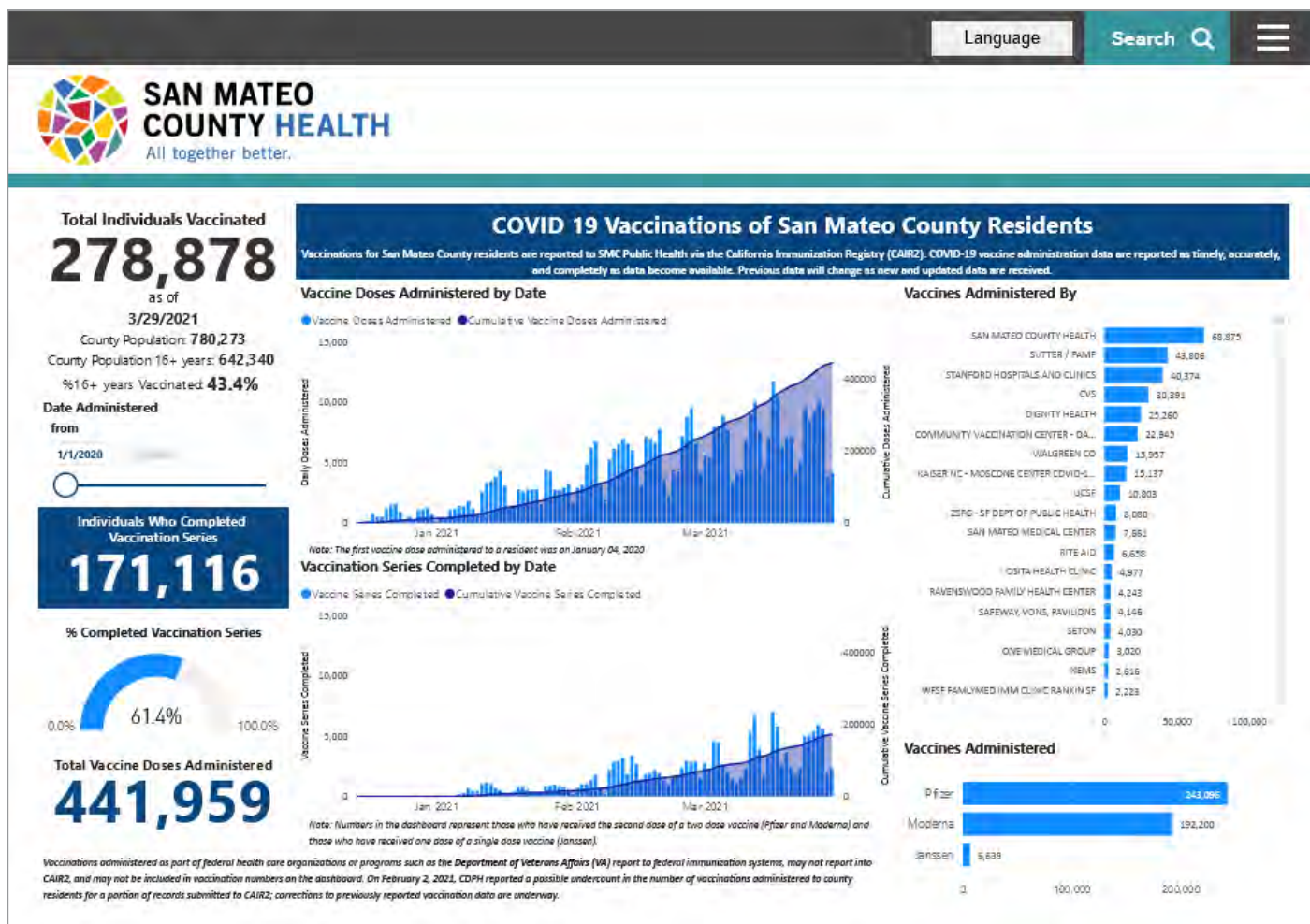
San Mateo County vaccination data

The vaccination rates of residents in San Mateo County are daily compiled and updated by the San Mateo

County Health department and posted in online dashboards accessible to the general public. (See Attachment A and Figure 1, below.) Vaccinations for San Mateo County residents are reported to San Mateo County Health via the California Immunization Registry (CAIR2.)

The data include vaccinations administered to San Mateo County residents only, regardless of the county where they received the vaccination, and do not include vaccinations provided within San Mateo County to residents of other counties (those vaccinations are counted in the vaccinated persons' county of residence.) The San Mateo County data does not include vaccinations by federal organizations such as the Department of Veterans Affairs (VA.)

Figure 1. Excerpt from the San Mateo County Health vaccination dashboard from March 29, 2021. The data at that time indicate that 43.4 percent of San Mateo County residents ages 16 and older had received at least one dose of COVID-19 vaccine as of March 29, and that of those, 61.4 percent had completed the full vaccination series (most vaccines require two doses spaced several weeks apart), for a total 26.6 percent of county residents ages 16 and older fully vaccinated as of March 29.

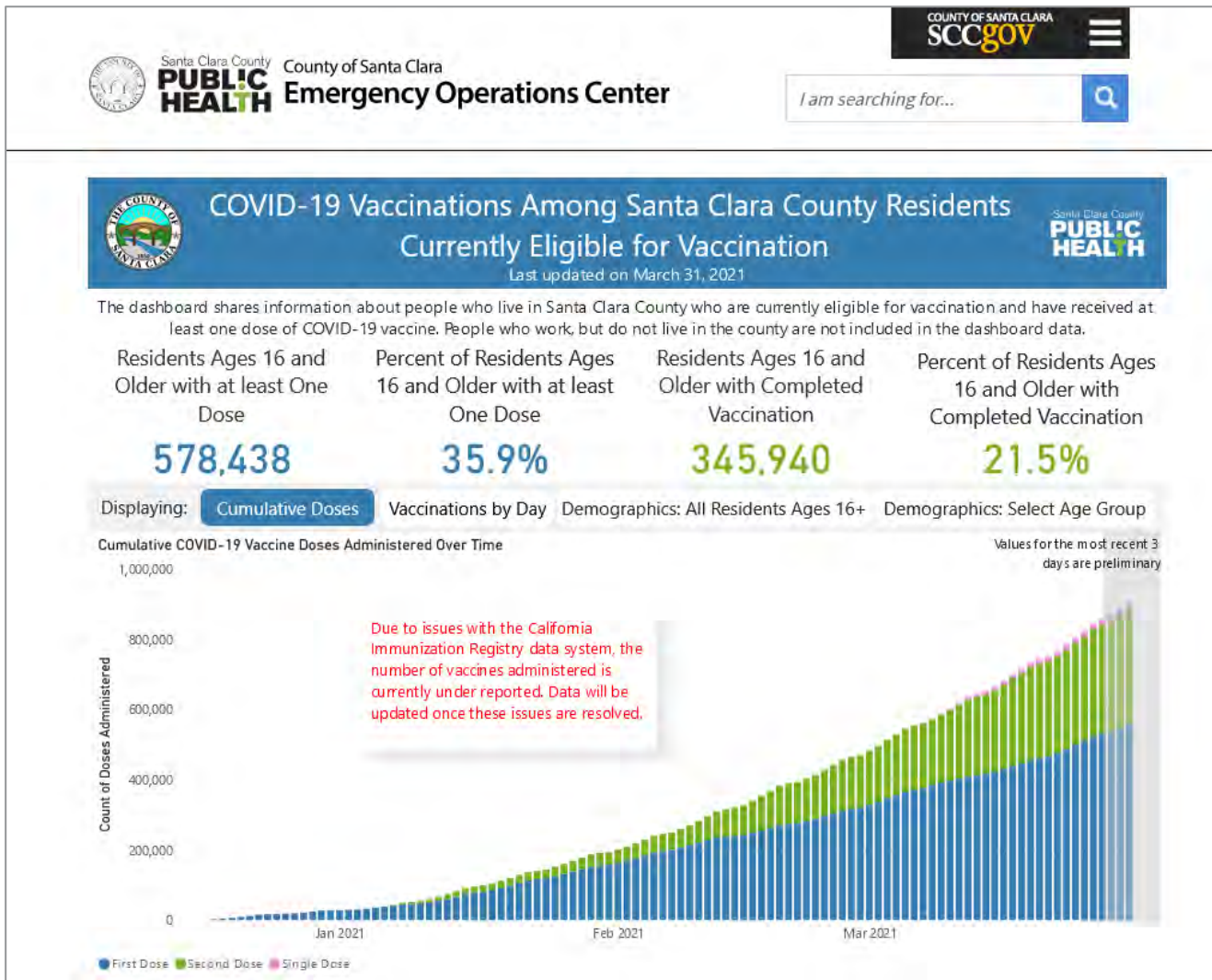


Santa Clara County vaccination data

The vaccination rates of residents in Santa Clara County are daily compiled and updated by the Santa Clara County public health department and posted in online dashboards accessible to the general public. (See Attachment B and Figure 2, below.) Vaccinations for Santa Clara County residents are reported to Santa Clara County Public Health via the California Immunization Registry (CAIR2.)

The data include residents who have been vaccinated by providers within Santa Clara County and residents who have been vaccinated outside of the county. The data do not include people who were vaccinated by providers in Santa Clara County but are not residents of Santa Clara County.

Figure 2. Excerpt from the Santa Clara County Public Health vaccination dashboard from March 31, 2021. The data at that time indicate that 35.9 percent of Santa Clara County residents ages 16 and older had received at least one dose of COVID-19 vaccine as of March 31, and that of those, 59.8 percent had completed the full vaccination series (most vaccines require two doses spaced several weeks apart), for a total 21.5 percent of county residents ages 16 and older fully vaccinated as of March 31.



Facility reactivations - prioritization and phase-in sequence

After it is deemed safe to reopen city facilities to indoor public access, phasing-in the facility and service reactivations over a period of several months is strongly recommended to ensure that facility reactivations can be implemented safely and sustainably with limited operational capacity and resources. Most of the facilities will have been dormant for more than a year, and some facility modifications and service adaptations will be necessary to enhance safety and resiliency against the “long tail” of COVID-19 and

potential future viral outbreaks. Due to significant reductions in staffing and operating budget made necessary by the economic downturn, the city lacks the operational capacity to safely reactivate all facilities and services at once.

City-owned outdoor parklands have remained open and accessible to the general public, with some limitations, throughout the pandemic. The aquatics centers, child care and afterschool care centers, skate park, tennis courts, athletic fields, outdoor recreation programs and classes, and the city hall permit counter were reopened to limited public access in mid-2020. City-owned playgrounds were reopened to public access with limitations in the fall of 2020.

Other city services are currently in operation and delivering services to residents in modified forms that do not include indoor public access to city facilities at this time. The police department has continued to provide public safety 24/7 throughout the pandemic. The public works department has continued to operate the water utility, perform maintenance and other essential components of its operation throughout the pandemic. The senior center nutrition program delivers meals directly to homebound seniors and conducts regular wellness checks by telephone. The library provides curbside pickup services for residents to safely access library books and other materials. Recreation, fitness, health and wellness classes and community events are provided in all-outdoor or virtual formats. Other departments including Community Development, City Manager's Office, and Administrative Services have continued to operate primarily through remote work with some on-site operations such as building inspections throughout the pandemic.

Regarding indoor public access to city-owned facilities, prioritization and sequencing for future indoor public access is proposed to be phased-in over a period of several months, beginning when local public health officials and vaccination rates indicate that herd immunity exists for COVID-19 in San Mateo and Santa Clara counties. City staff recommend following San Mateo County public health officials' guidance on removing limitations imposed as a result of the pandemic. Any phase-in sequence could potentially be accelerated or slowed down depending on changing events and circumstances, for example if additional resources and capacity are brought to bear, or if vaccine-resistant COVID-19 variants emerge and spread.

Establishing a potential phase-in sequence will provide staff and the general public the benefit of clear expectations for when safe reopening of the various city facilities to indoor public access are likely to occur. At the City Council's April 27 meeting, City staff plans to provide a recommended phase-in calendar by facility, program or service, and public events. Additionally, City staff plans to provide a recommended public engagement strategy should the City Council desire to prioritize those services of greatest interest to members of the community.

Budgetary impacts on capacity

A significant impact of the fiscal year 2020-21 budget cuts that has yet to be fully realized is the reduction in staff capacity necessitated by the closure of facilities and elimination of many programs, services and events. Overall, the budget eliminated 15 percent of authorized full-time equivalent personnel and nearly all temporary personnel. For example, with current budgeted resources in library and community services, the City cannot return to pre-pandemic service levels absent a significant budget amendment. For this reason, City staff recommended a series of City Council priorities to examine the restoration of library and community services. Staff plans to present an initial evaluation of anticipated service impacts, potential alternative service delivery models, critical resource needs and other key considerations, including a proposed public engagement strategy, for City Council review April 27.

Impact on City Resources

Programming decisions and revenue expectations are incorporated into the city manager's proposed budget and will guide the development of the operating budget for fiscal year 2021-22. Staff capacity to

receive direction and incorporate changes to the cost recovery policy and master fee schedule are included in the amended fiscal year 2020-21 budget. City staff will recommend a reactivation budget to make any physical improvements to City facilities necessary to reopen once San Mateo and Santa Clara counties achieve herd immunity.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Hyperlink – San Mateo County Health vaccination dashboard: smchealth.org/data-dashboard/vaccination-totals-locations-data
- B. Hyperlink – Santa Clara County Public Health vaccination dashboard: sccgov.org/sites/covid19/Pages/dashboard-vaccine-CAIR2.aspx

Report prepared by:

Dan Jacobson, Assistant Administrative Services Director
Adriane Lee Bird, Assistant Community Services Director
Sean Reinhart, Director of Library and Community Services



STAFF REPORT – CONTINUED AND UPDATED FROM MARCH 9 AND 23, 2021

City Council

Meeting Date: ~~3/9/2021~~ ~~3/23/2021~~ 4/6/2021

Staff Report Number: 21-053-CC

Regular Business: **Approve additional \$40,000 appropriations for the temporary outdoor dining grant program**

Recommendation

City staff recommend increasing the appropriation for the temporary outdoor dining grant program from \$110,000 to \$150,000. The recommendation provides reimbursement of up-to \$5,000 for temporary outdoor dining accommodations for all eligible applicants and removes the need for a lottery.

Policy Issues

City Council approval of the temporary outdoor dining grant program requires periodic reporting to ensure transparent use of City funds.

Background

City Council appropriated \$100,000 for a one-time grant program for Menlo Park business to support temporary outdoor dining facilities plus \$10,000 for administration of the grant program. City staff have been working to coordinate applications over the past several months.

Analysis

As detailed in Attachment A, 18 Menlo Park businesses completed an initial application, met eligibility requirements, and have been notified of their preapproval. An additional eight businesses submitted incomplete applications, and staff worked to secure the requisite documents. All eight businesses are eligible. Two other businesses did not apply due to an error in eligibility requirements posted to the website however both are eligible under the December 9 City Council approved eligibility requirements. City staff recommends fully funding all 28 applications for a total budget of \$150,000, including administrative fee of \$10,000. To do so requires an additional appropriation of \$40,000.

As of March 17, San Mateo County entered in the orange tier of the Governor's Blueprint for a Safer Economy, which allows dine-in options up to 50 percent capacity. While indoor dining restrictions may further ease, social distancing requirements are likely to remain in effect through the end of 2021. Additional temporary outdoor dining space promotes social distancing and continues to support the pandemic recovery.

City staff has notified the eight businesses who have subsequently furnished requisite information to qualify for the grant that City staff seek additional clarification from City Council. City staff transmitted an informational item detailing staff's intent to recommend additional funding for City Council approval at their March 23 meeting. At their March 23 meeting, City staff disclosed an error on the grant eligibility requirements that may have discouraged two businesses from applying for grant funds. City Council

continued the informational item to April 13. With the April 6 special meeting, City staff seeks final direction from City Council. In addition to City staff's recommendation, City Council may consider the following alternative options:

1. Rescind grant awards to the 18 businesses and hold a lottery for 20 grants with 28 applicants. This option requires no additional appropriations.
2. Conduct a raffle for the final two grants among the 10 applicants who have yet to receive preapproval. This option requires no additional appropriations.
3. Automatically award grants to the two businesses that believed they were not eligible due to the error on the grant program webpage and reject the eight applicants that did not submit a complete application initially. This option requires no additional appropriations.

Impact on City Resources

A sufficient general fund surplus is forecast to support the \$40,000 increase, although the budget will be amended, if necessary, at the fiscal year-end close.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Temporary outdoor dining grant applicants

Report prepared by:
Nick Pegueros, Assistant City Manager

Pre-approved

Name	Business address
St. Frank Coffee, LLC.	1018 Alma Street, Menlo Park, CA, USA
Celia's Mexican Resturant #14	1850 El Camino Real, Menlo Park, CA, USA
Taqueria Guadalajara	1211 Willow Road, Menlo Park, CA, USA
Stacks Menlo Park	600 Santa Cruz Avenue, Menlo Park, CA, USA
Dosa Point	840 Willow Road, Menlo Park, San Mateo, CA, USA
The Refuge	1143 Crane St, Menlo Park, CA, USA
DEMIRTAS LLC	820 Santa Cruz Avenue, Menlo Park, CA 94025, USA
Left Bank Menlo Park Partners, LP	635 Santa Cruz Avenue, Menlo Park, CA, USA
El Cerrito Restaurant	Sharon Park Dr, Menlo Park, CA 94025, USA
MR GREEN BUBBLE TEA	604 Santa Cruz Avenue, Menlo Park, CA, USA
Amici's East Coast Pizzeria	880 Santa Cruz Avenue, Menlo Park, CA, USA
Sultana Mediterranean inv	1149 El Camino Real, Menlo Park, CA, USA
Farmhouse Kitchen	1165 Merrill Street, Menlo Park, CA, USA
Son & Garden by Farmhouse	1195 Merrill Street, Menlo Park, CA, USA
LB Steak DBA Camper	898 Santa Cruz Avenue, Menlo Park, CA, USA
plur, inc DBA:trellis restaurant	1077 El Camino Real, Menlo Park, CA, USA
CoffeeBar Menlo Park	1149 Chestnut Street, Menlo Park, CA, USA
JM Tea Room LLC	993 El Camino Real, Menlo Park, CA, USA

Pending City Council direction on grant funds

Name	Business address
KZ Marketing Group LLC dba Cafe Zoë	1929 Menalto Avenue, Menlo Park, CA, USA
Koma Restaurant	211 El Camino Real, Menlo Park, CA, USA
Ristorante Carpaccio	1120 Crane Street, Menlo Park, CA, USA
Galata Bistro	827 Santa Cruz Avenue, Menlo Park, CA, USA
Eric's Gourmet Food and Catering	325 Sharon Park Drive, Menlo Park, CA, USA
Le Boulanger	720 Santa Cruz Avenue, Menlo Park, CA, USA
MY TASTIES	888 Willow Road, Menlo Park, CA, USA
The Posh Bagel	869 Santa Cruz Avenue, Menlo Park, CA, USA

Denied applications

Name	Business address
Cold Stone Creamery	611 Santa Cruz Avenue, Menlo Park, CA, USA
Mountain Mike's Pizza	1001 El Camino Real, Menlo Park, CA, USA
Chalasanani goods inc (Subway)	885 Hamilton Ave, Menlo Park, CA, USA



STAFF REPORT – CONTINUED AND UPDATED FROM MARCH 23, 2021

City Council

Meeting Date: 4/6/2021
Staff Report Number: 21-070-CC

Regular Business: Approve framework for use of American Rescue Plan Act funds

Recommendation

Staff recommends that City Council approve a framework for use of the American Rescue Plan Act (ARPA) funds, totaling approximately \$6.53 million, including:

1. Structural purposes such as regular staffing or one-time purposes such as transfers to private non-profit groups
2. Expenditure timeline, including the total amount to be used in the fiscal year 2021-22 budget

Policy Issues

The City Council controls budgetary appropriations, including stimulus funds provided to mitigate the impacts of the COVID-19 public health emergency.

Background

The ARPA of 2021 was passed by both houses of the US Congress and signed into law by President Biden on March 11, 2021. The bill, intended to mitigate many of the worst effects of the COVID-19 pandemic, includes \$1.9 trillion in stimulus measures and ranges from targeting individual families, health care, affected sectors, and government action. A longer discussion of the ARPA is provided in Attachment A.

Analysis

As the City Council considers the direct aid portion of the ARPA, approximately \$6.53 million, the major factors under consideration are the intended uses and the time frame under which the funds will be expended.

Intended use

The City Council has wide latitude for use of the funds, though some purposes such as pension payments, are restricted. The City Council may direct that the funds are used for structural or ongoing uses, such as authorizing staffing, or for one-time uses in recognition that the ARPA is one-time money, or some combination of purposes.

Structural use

The typical recommendation for one-time money is not for structural uses. However, the most recent recession experienced by the City included a fairly rapid return of lost revenues and there is a reasonable expectation that the post-pandemic recovery will behave similarly, particularly for transient occupancy tax (TOT or hotel tax), included in the most recent General Fund revenue forecast, Table 1. For this reason, the recommendation to not use one-time money for structural purposes is less strong.

Table 1: Five-year General Fund revenue forecast						
Revenue category	Fiscal year					
	2020-21 estimate	2021-22 estimate	2022-23 estimate	2023-24 estimate	2024-25 estimate	2025-26 estimate
Taxes						
Secured property tax	28,214,354	29,674,402	30,071,706	31,056,234	37,634,954	35,675,459
Unsecured property tax	685,768	840,057	699,778	720,537	624,771	684,538
Other property taxes	1,418,871	1,719,257	2,251,197	2,367,208	2,158,517	2,831,782
Sales taxes	6,294,432	5,042,076	5,490,251	5,444,641	5,541,426	5,908,559
Hotel taxes	4,716,997	7,239,940	8,564,375	10,258,746	12,104,187	14,514,212
Other taxes	9,951,438	11,776,140	13,076,131	14,381,965	15,751,098	17,815,790
Licenses and permits	2,250,000	2,167,041	2,563,412	2,916,322	3,519,339	4,575,383
Fines and forfeitures	100,000	93,036	86,197	96,518	90,272	113,332
Use of money and property	2,476,696	1,203,651	816,249	1,079,324	805,320	970,495
Intergovernmental	1,134,239	1,124,353	1,208,171	718,891	537,790	551,350
Charges for services	8,863,033	9,953,605	10,022,775	12,882,503	13,541,679	14,675,106
Other	44,200	47,150	28,964	24,862	20,345	23,622
Stimulus	6,531,000	-	-	-	-	-
Total	72,681,028	70,880,709	74,879,205	81,947,752	92,329,697	98,339,628

One-time use

At the discretion of the City Council, one-time money may be used for discrete projects rather than structural uses. Examples may include updates to facilities to prepare for post-pandemic uses. This option may also be combined with the structural use.

Expenditure timeline

ARPA funds may be used any time between receipt, anticipated to be split evenly between the end of fiscal year 2020-21 and the beginning of fiscal year 2021-22, and December 31, 2024. City Council may direct funds to be used at any time during that time frame, so long as all funds are fully expended by the end date. Given the aforementioned likely return of structural revenues affected by the pandemic, City Council may direct a front-loaded use schedule in order to use ARPA funds as a temporary replacement for the lost revenue. Alternately, the City Council may direct staff to not incorporate ARPA funds into the fiscal year 2021-22 budget in anticipation of future identification of uses.

Next steps

1. City manager’s fiscal year 2021-22 proposed budget – May 7, 2021
2. Public hearing for fiscal year 2021-22 budget – June 8, 2021
3. Fiscal year 2021-22 budget adoption – June 22, 2021

Impact on City Resources

Direction received from City Council will be incorporated into the city manager's proposed budget and will affect the development of the operating budget for fiscal year 2021-22 and future years. Staff capacity to incorporate direction into the city manager's proposed budget is included in the amended fiscal year 2020-21 budget.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Hyperlink – Update on American Rescue Plan Act funds:
menlopark.org/DocumentCenter/View/27677/J6-20210323-CC-American-Rescue-Plan-Act-funds-update

Report prepared by:
Dan Jacobson, Assistant Administrative Services Director

Agenda item H5 Lynne Bramlett, Resident

I'm writing for two reasons.

The first is to point out the helpful online March 23, 2021 Brookings Institute online article, "How should local leaders use their American Rescue Plan funding?" The article gives two major process recommendations:

1. The first is to create a team to generate ideas: The "elected officials – and the networks of civic, business, philanthropic, and community stakeholders that surround them – should take a three-pronged approach to using their ARP funding: stabilize, strategize and organize." A team approach would generate more ideas, and it could "curate the ideas" and prioritize recommendations.
2. The second is to "organize" and to use a team approach to deploying the solutions. The article suggests creating a "Regional Recovery Coordinating Council of "public private partnerships that include small businesses, neighborhood leaders, social service agencies, philanthropic leaders and corporate heads. They would be tasked with aggregating and supplementing existing recovery plans, setting goals, recommending investments, and tracking results."

The article advises local governments to consider four factors in making decisions: Immediacy, Inclusivity, Future prosperity and Complementarity. A small stakeholder working group can help Council to avoid making quick decisions that "can exacerbate economic and racial inequality." A "coalition approach" would supply useful information and ideas, and help prevent missteps.

Suggestions:

1. Form a Council subcommittee, and invite stakeholders to a public meeting to collect input and to determine interest in a team approach to deploying the solutions.
2. Invite the local FEMA Regional Preparedness Liaison to this meeting. He recently spoke to the MPC Ready community and he later supplied the FEMA "Community Resilience/Outreach Playbook. Also invite staff members working on projects that pertain to disaster preparedness and mitigation.
3. In parallel, collect needed information on the overall community, including its most impacted parts. The staff report did not include this key information.

Council has until the "end of 2024 to spend all the funds. Local leaders thus have a chance to invest in future growth and prosperity, the impacts of which will extend beyond near-term expenditure needs." The Rescue Plan funding process can help drive needed change towards a FEMA recommended "whole community" approach to planning and disaster recovery.

The second reason I'm writing is to clarify something in the attached Agenda packet.

The March 18, 2021 packet includes a letter from Congresswoman Anna Eshoo, which describes a "Community Project Funding" opportunity with a due date of March 31, 2021. Separately, Congresswoman Jackie Speier has also reached out with similar notice of the opportunity. I believe the deadline is now April 14, 2021. In short, the deadline is an internal one whereby one or both of the Congresswomen could advocate for a particular project with CAL OES who makes the final decisions as to which local government projects to submit to the Federal funding agencies.

Thus, the City of Menlo Park could miss that deadline and yet still have opportunities to request grant money. I would like to submit a request, by the April 14, 2021 deadline, on behalf of MPC Ready. However, I would need the City of Menlo Park to do so on our behalf, with MPC Ready carrying out the work.

General Comments Related to Grants & Transparency

The City of Menlo Park is missing out on much available grant money due to not having someone focused on researching the grants, and then in applying for them. I will return to this topic again.

Federal grants may also require dependencies and this might include the "BRIC" grant money. Grant seeking is a complicated process which I'm learning. However, I see in the FEMA Preparedness Grants Manual (Version 2, Feb 2021) that, by December 31, 2021, the City would need to "complete a THIRA/SPR that addresses all core capabilities and is compliant with Comprehensive Preparedness Guide (CPG) 201, Third Edition." (Near top of page H-2)

THIRA/SPR stands for Threat and Hazard Identification and Risk Assessment (THIRA) and Stakeholder Preparedness Review (SPR). A THIRA/SPR would supply foundational information for disaster preparedness and mitigation planning. According to FEMA, "Since 2012, communities have used the THIRA/SPR to better understand the risks their communities face. This helps communities make important decisions on how to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risks."

The City of Menlo Park does not have a THIRA/SPR. I suggest that Council start the process of getting this critical planning work done.

A THIRA/SPR is also especially needed in connection with the fast-track approach to updating the County of San Mateo's Local Hazard Mitigation Plan and the Menlo Park Annex. An employee in the City's Public Works Department is tasked with working on the Menlo Park update. It's time for an update to Council on this process and to consider adding a few informed community stakeholders.

I also request that you hold a public review of the 2020 City of Menlo Park Preparedness Report. A public review would help establish a shared understanding of the City's preparedness. I consider a public review essential for Council's strategic decision-making.



STAFF REPORT – CONTINUED FROM 3/23/2021

City Council

Meeting Date: ~~3/23/2021~~ 4/6/2021

Staff Report Number: 21-057-CC

Informational Item: City Council agenda topics: April 2021

Recommendation

The purpose of this informational item is to provide the City Council and members of the public access to the anticipated agenda items that will be presented to the City Council. The mayor and city manager set the City Council agenda so there is no action required of the City Council as a result of this informational item.

Policy Issues

In accordance with the City Council procedures manual, the mayor and city manager set the agenda for City Council meetings.

Analysis

In an effort to provide greater access to the City Council's future agenda items, staff has compiled a listing of anticipated agenda items, Attachment A, through April 27, 2021. The topics are arranged by department to help identify the work group most impacted by the agenda item.

Specific dates are not provided in the attachment due to a number of factors that influence the City Council agenda preparation process. In their agenda management, the mayor and city manager strive to compile an agenda that is most responsive to the City Council's adopted priorities and work plan while also balancing the business needs of the organization. Certain agenda items, such as appeals or State mandated reporting, must be scheduled by a certain date to ensure compliance. In addition, the meeting agendas are managed to allow the greatest opportunity for public input while also allowing the meeting to conclude around 11 p.m. Every effort is made to avoid scheduling two matters that may be contentious to allow the City Council sufficient time to fully discuss the matter before the City Council.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

A. City Council agenda topics: April 2021

Report prepared by:
Judi A. Herren, City Clerk

Tentative City Council Agenda

#	Title	Department	Item type	City Council action
1	Labor relations - SEIU, AFSCME, POA, Unrepresented	ASD	Closed Session	Direction to staff
2	Master Fee Schedule update effective July 1, 2021	ASD	Public Hearing	Adopt resolution
3	Quarterly financial operations report	ASD	Consent	Receive and file
4	Quarterly investment report	ASD	Consent	Receive and file
5	ConnectMenlo community amenities	CA	Study Session	Direction to staff
6	ConnectMenlo community amenities subcommittee report	CA	Subcommittee report	Direction to staff
7	Revise community amenities resolution	CA	Regular	Adopt resolution
8	BMR funding recommendations (from 2020 NOFA proposals)	CDD	Regular	Approve
9	2021 priorities and work plan quarterly report as of March 31	CMO	Consent	Receive and file
10	Advisory body appointments	CMO	Commission Report	Approve
11	Advisory body attendance	CMO	Consent	No action
12	Amendments to Recology Franchise Agreement Regarding Bulky Item Pick-Up	CMO	Consent	Adopt resolution
13	Approve EQC two year work plan	CMO	Regular	Approve
14	Midpeninsula Regional Open Space District-activities update	CMO	Presentation	No action
15	Rate assistance update	CMO	Informational	No action
16	Rebuilding LCS - Post-Covid Service Adaptation Plan	LCS	Regular	Direction to staff
17	Middle Avenue (800 ECR) Purchase and sale agreement	PW	Regular	Approve
18	Provide direction on paving program and use of rubberized asphalt	PW	Study Session	Direction to staff
19	Ravenswood/Laurel signal improvements	PW	Consent	Contract award or amend
20	Signing/stripping on-call program	PW	Consent	Contract award or amend
21	Transportation Management Association (TMA) update	PW	Informational	No action
22	Urban Water Management Plan (UWMP)	PW	Study Session	Direction to staff